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From the Editor's Desk: A Tribute to Professor Reynolds

ANDREW J. MERTZENICH

Dear Reader:

Professor Emeritus Reynolds was oft known as the "heart and soul" of our Law School. Indeed, the impression he left on thousands in this grateful community will remain strong for generations to come. Even now, long months after his passing, a fresh touch of gentle grief crosses the faces of those who encounter his name or spirit.

Accordingly, to give permanent recognition to such an amazing teacher and mentor, we at the *Northern Illinois University Law Review* are honored to bring you Tributes to Professor Emeritus Daniel Reynolds. These Tributes come to us as far away as Bordeaux, France--showing us how this great man's influential life reached as far as the sea is wide.

In soliciting these Tributes, we asked authors to share stories, personal memories, and kind words indicating the lasting legacy he leaves behind both here and beyond. Except for minor style editing, we kept the voices of the authors genuine and original. The words printed herein are their words.

Therefore, on behalf of James D. LeVault (Editor-in-Chief), the Editors and Staff, and all of us here at the *Northern Illinois University Law Review*, thank you for taking the time to get to know this great man. And, we sincerely hope that you enjoy perusing these Tributes as much as we have.

Professor Reynolds, wherever you are, you are sorely and sincerely missed.

A TRIBUTE TO DAN REYNOLDS: TEACHER AND COLLEAGUE EXTRORDINAIRE

MARK W. CORDES

I had the pleasure and great honor to know Dan Reynolds as both a colleague and friend for 34 years. My first clear memory of Dan was actually in the spring before I began teaching at NIU, when Victoria and I came out house hunting and coordinated our trip with ceremonies dedicating the law school building. One featured event during the ceremonies was billed as a symposium on legal ethics moderated by first-year professor Dan Reynolds and including some leading scholars in the field, such as Geoff Hazard of Yale and Tom Morgan of Emory, both of whom were friends of Dan. Dan's introductory remarks began by saying that since this event was advertised as a symposium, he decided to look up what a symposium actually was, and discovered the original meaning was a drinking party involving lively discussion, as occurred in Ancient Greece. He then apologized to the those in attendance that he did not have enough wine on hand to fulfill his duties as moderator.

I learned two things about Dan from those remarks, attributes that I saw throughout his time here. First, Dan had a great love for, and command of words and language. I have never met anyone who could turn a phrase as well as Dan, such as when it came to physical fitness, quipping "whenever I feel the urge to exercise, I simply lay down until it goes away." And the second thing I learned was that Dan was someone who was a lot of fun, appreciated a good time, and did not see fun and learning as two separate functions, but were two aspects of his life that easily blended together.

Over his 35 years at the College of Law Dan wore many hats and assumed a variety of roles. In addition to his teaching, Dan also served as Interim Dean of the College of Law in 1990-1991, and then as Associate Dean in 1991-1992 and again from 1998-2001. And for many years Dan, along with Dave Gaebler, led the law school's study abroad program in Agen, France, tutoring a generation of NIU students on a comparison of the English common law and French civil law systems. It is hard to overstate the success of that program, the impact it had on a generation of NIU lawyers, and the amount of French wine consumed over those two decades.

All of us also assume unofficial and informal roles, and Dan was no exception. He was at times chief cynic, defender of tradition, and explainer of both the teaching and legal professions. He was a consistent source of humor, ready with the insight, at times humorous, at times moving and

meaningful, and very often both, and for several decades the one we looked to in faculty meetings for the humorous and/or cynical quip, to break up the tedium of the proceedings.

But Dan's primary role was teacher and mentor, for which he had both a passion and a natural gift. It is not surprising that he won teacher of the year six times, a notable achievement when you consider that our school has a number of outstanding teachers. It's interesting, though, that although Dan thoroughly enjoyed and excelled at teaching, he was deeply averse to some aspects of the profession, such as the notion of a course syllabus, the modern trend toward developing learning outcomes and assessment methods, even more so to spending any faculty meeting time discussing such things, and perhaps most of all, the concept of deadlines for turning in grades, which he considered mere suggestions at best.

At the end of the day, though, more than anything else Dan considered himself a teacher, pure and simple. On several occasions he told me the story that after he taught his first class at the College of Law in the fall of 1982, he walked out and knew, at that moment, this was his purpose, what he was truly called to do in life.

Dan agonized over retirement for several years near the end of his career, with his heart telling him one thing, but his body telling him something else, and of course the state pension system giving him all sorts of conflicting messages. When he finally made that decision in the fall of 2015, with changes in the pension system sealing the deal, it was one of the hardest moments of his life, and you could literally see the pain on his face.

At a reception we had for Dan and several others who all were retiring, Dan spoke briefly and I think summed up much of who he was with this simple remark:

"Being a part of the professional formation of so many judges and lawyers over the years has been the great privilege of my life. I thank each and every one of them for that experience."

I think thousands of NIU law school alums would simply say, "Back at you, Dan."

A Tribute to Professor Daniel S. Reynolds

DAVID B. GAEBLER

Professor Daniel Reynolds was first and foremost a teacher. Unlike most of us, Dan did not arrive at the academy and learn his craft. He was a natural, a born teacher. He could find a teaching moment in almost anything. Whenever he was with students, he was teaching. If he didn't have anything prepared, he would, as he would say, "go Big Picture." But, that was when he was at his best, a polymath pulling diverse strands from history, culture, political theory, and, of course, law, and weaving them into a coherent and meaningful picture.

Soon after completing his own legal studies at Creighton University, Professor Reynolds began his legal career with the Omaha firm of Kutak Rock. While there, he served as the assistant reporter to the American Bar Association's Kutak Commission, chaired by his friend and mentor, Robert J. Kutak, and which produced the Model Rules of Professional Conduct. In 1982, he found his way to DeKalb, bringing his love for the legal profession and his profound knowledge of legal ethics to the NIU College of Law. In those early days of the College of Law, Professor Reynolds was very much a part of the active social set of young faculty, and those of us who were here got to know him as a valued friend and colleague. But it was not until much later, that I had the opportunity to know Professor Reynolds more closely in the context of the College of Law's Summer Study Abroad Program in Agen, France. Following the unfortunate and untimely death of the program's founder, our colleague, Professor Rodolphe DeSeife, Dan and I took over the program. Our collaboration lasted 17 years until sadly last summer, for the first time, Dan was unable to make it to France.

As the more than 300 alumni of the Agen Program will attest, Professor Reynolds was the heart and soul of the program. Unlike many summer study abroad programs, the Agen Program was, and continues to be, a very hands-on affair. Dan was with the students almost 24/7. He was with them all day at school. He ate dinner with them in a group almost every night. He traveled with them on weekends. And, he often sat with them in cafés late into the evening talking about France, politics, the law, or just life. Dan was like the pied piper. Students literally fought for seats close to him, and Dan would hold forth, engaging them in conversation, as he displayed his gift for teaching in the broadest and truest sense of the term.

Our French colleagues also appreciated Professor Reynolds' unique abilities and his enthusiasm for the program and all things French. He helped forge close and lasting ties between the NIU College of Law and the city of Agen and the University of Bordeaux. Dan's work with the Agen Program was certainly one of the most rewarding experiences of his career.

One of its many rewards was making many close friends in Agen and Bordeaux. Although several of them are no longer with us, Dan will be sorely missed on both sides of the Atlantic.

His principle legacy will be the impact he has made on the hundreds, the thousands, of students whose lives he has touched. Dan had a unique ability to connect with students and to stir the spark of curiosity. His favorite bits of advice to students were *carpe diem* (seize the day) and to ask questions always. His unique personality and prodigious abilities were a gift to his students and colleagues alike. His presence enriched the law school community and will be missed, but he will be remembered for his intelligence, his wit, his charm, and his genuine affection for his students.

He Showed Us “How It Is Done”

DAVID H. TAYLOR

In the mid 1980's, while working for Prairie State Legal Services, I attended an annual retreat at the UAW Center in Ottawa. There was a late afternoon break in the agenda, so I headed to the bar for a tasty, restorative beverage. There sat a fellow retreator sporting a Hawaiian shirt. He was the only other attendee to seek such refuge. We struck up a conversation that proved to be as interesting, challenging, witty, and enlightening as human discourse can be. The man at the bar was Dan Reynolds. He was at the retreat as the College of Law representative. Little did I know that we would become colleagues, fast friends, and that conversation would continue undimmed for thirty years.

It is not possible to overstate the impact Dan had on the institution of the College of Law. Present at the inception, he was the school's moral and ethical center. That position came not just with his pedigree from the Kutak Commission, the drafters of the ABA Model Rules of Professional Responsibility, but also from his ability to clearly identify what was right. Dan long eschewed endless rules and regulations designed to define what not to do. He had a deep belief in equity, mixed with integrity and kindness, and always used that as a guide as to an elegant course of action the law school should take.

Dan always put the institution and its students above himself. He had little time for what he termed “careerists,” those who put their interests above those of the school. A few years back, the faculty was considering the adoption of a new first year course to be called “Legal Methods.” Dan opposed it, believing that all first year courses were there to teach legal method, and if not, they were merely preparing students for the bar exam, not for our profession. Despite his objections, the course was adopted by the faculty. But then, who would be the best person to teach common law legal method? Why, that of course would be Dan. No one understood common law method better than he. Rather than adopt a principled pout and sit it out, he throw himself into doing the best job possible and made a running joke out of his teaching a course whose existence he opposed.

In addition to his impact on the institution, Dan had enormous influence on many, many students at the College of Law. Dan was an extremely popular teacher. Most important is that his status was built upon respect. Dan did not pander to popularity. He could be challenging, at times quite gruff, and he expected a lot from his students. But, his guiding star always was producing successful members of our profession. What his students likely do not know, is the extent to which he would sing praises of their accomplishments, as lawyers, judges, public officials, and private citizens.

It was always like watching a parent talk about their children. In so many ways, Dan's students were his children, and they were his life.

As colleagues and great friends, Dan and I traveled together many places. The conversation that began at the U.A.W. Center in Ottawa, Illinois, continued on in cafes in Paris, Agen, Bordeaux, Biarritz, and on and on, most notably including DeKalb. Conversations and drinks every Tuesday on his garden patio or at his dining room table surrounded by shelves containing his beloved books were always a restorative delight. I came away from every one with a new tidbit of knowledge, a new perspective, and always many hearty laughs. But that for which I will be forever in Dan's debt, is that in those conversations I learned most everything I know about how to be a teacher and lifelong student of the law.

At times Dan would use the expression, "He doesn't know how it is done." He would use it in reference to someone who did not follow protocol, or exercise proper civility, or was too full of themselves, or droned on without knowing what they were talking about. It was my great good fortune to call Dan my colleague and my dear friend, as well as to have the opportunity to see his him show us all "how it IS done." That Dan clearly knew and demonstrated each day.

Thoughts in Remembrance of Professor Dan Reynolds: Truly One of a Kind

JAMES J. ALFINI

I was Dan Reynolds' colleague for twelve years at Northern Illinois University College of Law. I have many fond memories of Dan Reynolds, my good friend and colleague, and I very much appreciate this opportunity to share a few of these memories.

I first met Dan in 1991 when I was a candidate for the dean's position at NIU law school and Dan was serving as Interim Dean. I recall being immediately taken with him. He was not only friendly and outgoing, if not charismatic, but he was extremely forthcoming and willing to offer valuable insights about the history and status of the law school.

When I was offered the dean's position, I immediately turned to Dan for advice. I asked him if he would be willing to serve as Associate Dean for a year to give me an opportunity to get my feet on the ground. He stood there in silence with a pained look on his face. It didn't help when I tried to lighten things up by characterizing the Associate Dean's primary responsibility as the "care and feeding of the faculty." But, Dan said yes, with no quibbles. Why would he take on this unenviable task? Why would he take on a lesser administrative position? It wasn't as a favor to me. He didn't know me from Adam.

Dan did it out of loyalty to the law school. If his service as Associate Dean could help to move the school forward, he was on board. And, this strong sense of institutional loyalty, which I came to learn was closely tied to his commitment to professionalism (a trait that he instilled in generations of law students who took his class in professional responsibility) was a defining characteristic of the man.

Dan and I shared a number of adventures during his year as Associate Dean, but neither one of us could have anticipated the time we spent with a homeless person who had taken up residence in the library of the law school. This person who was down on his luck also happened to be an alumnus of the law school. Although the librarians were generally understanding, by early December, we were headed toward the holiday shutdown of the University. Our alum was looking a bit sickly, and we were concerned that he might not survive three weeks alone in a cold building. So, we arranged to have him taken to a mental health facility in Rockford.

After the holidays, he was back in the library looking much better. Dan and I met with him in the dean's office and he thanked us for arranging for his time in Rockford and told me that I might be receiving a letter from his parents, together with a check. The check would be made out to him, or

an alias that he sometimes used, or King Constantine of Greece. Through all this, Dan didn't bat an eye, and he proceeded to counsel him on his future. He listened carefully to this unfortunate man, treating him with the utmost respect.

I have seldom witnessed an act of understanding and compassion more compelling than Dan displayed that day. No wonder so many of our students have voted Dan Professor of the Year.

Of course, Dan's attributes and talents went well beyond understanding and compassion. He was the most learned person I have ever known. I was listening to the accomplished author David McCullough on Book TV recently. When my wife comes into the living room and notices that I am on CSPAN 3, she usually turns around and walks out. But, this time I caught her short by saying, this guy reminds me of Dan Reynolds. Like McCullough, Dan possessed a range of interests and knowledge that was breathtaking.

I am sorry to admit that I have never been able to complete a New York Times crossword. On the other hand, I don't believe Dan ever failed to complete one, usually in record time. A few years ago, a law school classmate of mine had a crossword published in the N. Y. Times. I emailed Dan, challenging him to complete it. He emailed back 20 minutes later, saying that it took him 15 minutes, including a break for a smoke and a cup of coffee.

Of course, I believed Dan, since honesty was another one of his strong suits.

These memorial tributes to Dan clearly demonstrate that he was one of a kind. He added value to all of our lives. Goodbye dear friend.

A Recollection of Dan Reynolds

LEONARD P. STRICKMAN

I am the guy who hired Dan Reynolds to the faculty of the Northern Illinois University College of Law 35 years ago. I had been chosen as the first “permanent” dean of the law school after its acquisition by NIU from Lewis University, where it had originated. I faced the exciting challenge of preparing the move of the law school from its previous home in Glen Ellyn to its permanent home in Swen Parson Hall, the less exciting challenges of making hard tenure decisions on Lewis faculty reaching that point in the academic process, and the most joyful challenge of hiring many new faculty to take the law school into the future. In my first year, 1981-82, the candidates we chose to interview on campus, including Dan, had the strange experience of interviewing both in Glen Ellyn with the existing faculty, and in DeKalb with John LaTourette, then the Provost, and Bill Monat, the President, getting a full tour of the idyllic college town (exaggeration is permissible in faculty recruitment) to which we sought to attract them to live.

Dan Reynolds came with some credentials. An accomplished lawyer in Omaha with the nationally prestigious law firm, Kutak Rock, Dan had served as Assistant Reporter to the American Bar Association’s Committee drafting the Model Rules of Professional Conduct, under the leadership of his mentor, friend, and strong supporter in the academic marketplace, Bob Kutak. This was an important position; to this day, 35 years later, those Model Rules continue in the vast majority of American states to set the standards for ethics and professionalism for members of the Bar. Not only would Dan be our nationally recognized expert in the field of professional responsibility; he would also bring important knowledge and experience to our students in the fields of contracts and corporate law. Not least, he was a man with an acute sense of justice.

From the outset, Dan was a hit with students in the classroom. He blended a vast, impressive knowledge of the law, even outside the areas in which he taught, with a relaxed and good humored style which was eloquent and intellectually demanding, yet personally kind. As much as any professor with whom I have worked, he succeeded in knowing his students. Decades later, if I had encountered one of our NIU students from my time, and shared that with Dan, he would invariably remember that student and be able to speak knowledgeably of him or her. I know that a teacher at the level of legal education need not know his or her students personally in order to be a great teacher, but the potential for high impact on more students surely increases with relationships that are both professional and personal.

When I made a decision to step down early in my ninth year as dean at NIU, the University began a search for my successor. An offer was made; the recipient of that offer decided to accept a similar offer instead from the University of Wisconsin (a decision that could only be explained by the relative merits at the time of the two football programs), at which point NIU scrapped its search and decided to appoint an interim dean from the faculty for one year. I was consulted by the Provost for my opinion on who should become interim dean. I recommended Dan Reynolds. Frankly, we had a particularly fractious faculty at that time, and Dan was a figure respected and even liked by even the most fractious among them. Add to that mature good judgment (Dean Cordes was still a kid at the time) and Dan seemed to me the logical choice. Ken Baker, the Provost in 1990, canvassed the faculty at that time and then appointed Dan to the position. He was able to hold the place together, indeed advance it, setting the table for Jim Alfini, the next dean.

I spent that fall semester as a visiting professor at the Hastings College of the Law, in San Francisco, during which time I accepted the deanship at the University of Arkansas School of Law, to begin in the summer of 1991. During the next year, well after Dan had returned to fulltime teaching, I invited him to be a summer visiting professor in Fayetteville. Unsurprisingly, his course in Professional Responsibility was as popular with Arkansas students as with NIU students. Shortly thereafter, the Agen program began, and Dan became unavailable to me during summers.

Dan and I remained friends over the ensuing years. I was never surprised, but always impressed, by his multiple designations by NIU law students as Teacher of the Year. When I visited DeKalb from time to time, and spent time talking to him in his office, there would invariably be a stream of students coming by to visit, I think frustrated that my presence made Dan at that moment unavailable to them. About a decade ago, when my wife, Danielle, and I were on a short visit to DeKalb, Dan decided to host a reception for us in his home for our old friends and former colleagues who were still in DeKalb. Although Dan could be a little gruff, and was not always an extrovert outside the classroom, his personal warmth was a feature of his character and personality.

In recent years, although retaining a primary residence in Florida, where I served in the final of my three deanships, Danielle and I have spent summers and part of every fall in Chicago. So we got to see Dan and our other DeKalb friends more often. About three weeks before his death, we had a wonderful dinner with Dan in Chicago. His prognosis was grim, but a ray of hope had come from his admission to a University of Chicago experimental cancer treatment program. We laughed a lot at that dinner. As was typical of Dan Reynolds, a great deal of the conversation was directed to us and to the lives of our children, whom he knew well, and our grandchildren. He was particularly excited to talk about our daughter, who had moved a

couple of years ago from the Cook County State's Attorney office to a new job at his beloved University of Nebraska.

I suspect that virtually all of us who had Dan Reynolds in our lives have had a sense of great loss over the past months. But we are all better for having had him as a teacher and/or a friend. I feel privileged in having been given the opportunity by the NIU Law Review to share my memories and to honor this great and good man.

A Letter from France

ANTOINE VIALARD¹

I just received the very sad news about the death of Dan Reynolds. I was, with late Rodolphe de Seife in the 1990's, at the origin of the NIU exchange program with Agen and Bordeaux. And for many years, I managed the French part of this program as Director of Agen Institute of Law.

I am now retired (since 2005); but I kept, year after year, a strong commitment with each group of visiting students, in a very close relationship with Dan Reynolds after the death of Rodolphe. Year after year, I continued my connection to the program and appreciated the warm, completely human character of Dan (and his strong taste for French wines and French cooking). For all of us, here in Agen and Bordeaux, it is a very great sadness to know he has passed away.

I am sure that his students will keep a very long memory of Dan, their teacher: of his legal science, of his kindness, of his humor. Please, would you ensure that Dan's students as well as all of your University know that Dan Reynolds is and will always be in France the perfect example of what a good man must be.

Avec toute ma tristesse,

1. Professeur émérite à l'Université Bordeaux Spécialités: Droit de la vigne et du vin et Droit maritime