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## In Memoriam: Edward A. Mearns, Jr.

Marjorie Kitchell

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years afterward, notably here in Cleveland as the district court's special expert in the long-running case of *Reed v. Rhodes*.<sup>4</sup>

Both as a member of our faculty and in retirement, Ted focused on constitutionalism and the rule of law around the world. He taught at universities in Bosnia-Herzegovina, Croatia, Hungary, Italy, Russia, and Switzerland and served as Dean of the Faculty of the World Law Institute. The international relationships that he forged in this work facilitated visiting professorships at our law school for several distinguished European scholars. Perhaps fittingly, one of Ted's closest continental friends, Giovanni Bognetti of the University of Milan, also died last summer.

Let me close with a note about some other long-term personal connections that Ted and I shared. After almost a decade on the UVA faculty, he moved to Northwestern University. There he occupied a position previously held by Victor Rosenblum, who had assumed the presidency of Reed College. In that position, Rosenblum frequently dealt with an outspoken undergraduate named Maxwell Mehlman. Eventually, Rosenblum returned to Northwestern and became one of my mentors. Meanwhile, Ted went on to be Dean of the University of Cincinnati College of Law before coming here in 1974. Mehlman subsequently joined our faculty at the same time I did and later moved into Ted's old office adjoining mine. Perhaps this confirms the old adage that the law is a seamless web, but I'd really rather be able to keep talking with Ted Mearns, the consummate intellectual and gentleman. We miss him enormously.

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*Marjorie H. Kitchell*

In the early 1980s, the Case Western Reserve University School of Medicine was different from what it is now. It had a new vice-dean and a genetics center still new enough to be a line item in the state budget. Ted Mearns was, to my knowledge, the first and only vice-

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4. 422 F. Supp. 708 (N.D. Ohio 1976) (finding that the Cleveland public schools were unconstitutionally segregated). The case ran for more than two decades. *See Reed v. Rhodes*, 1 F. Supp. 2d 705 (N.D. Ohio 1998) (concluding that the Cleveland public schools finally had achieved unitary status), *aff'd mem.*, 215 F.3d 1327 (6th Cir. 2000). *See generally* Daniel J. McMullen & Irene Hirata McMullen, *Stubborn Facts of History—The Vestiges of Past Discrimination in School Desegregation Cases*, 44 CASE W. RES. L. REV. 75 (1993) (discussing many remedial aspects of *Reed v. Rhodes*); Diane Ravitch, *School Reform: Past, Present, and Future*, 51 CASE W. RES. L. REV. 187, 187–88 (2000) (summarizing the legal context of the case).

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dean of the school, and I was a newly minted board-certified genetics counselor. The medical school curriculum was changing, and Ted, being a visionary, saw the possibility of offering electives to the first- and second-year medical students that would combine genetics and the law. He approached me, and, although I was somewhat cowed by his position, I agreed to be his partner in the teaching of two new courses: Genetics and the Law and Ethics and Genetics. It was a revelation to me. As we planned the courses, I realized that I was not going to be taking a backseat—Ted valued my ideas and made me a part of each planning session and each class even though I had little experience in teaching. In class, Ted was engaged and engaging. He was always impeccably prepared and always encouraging students to participate. While the students and I were often looking for the right answers, Ted was always looking for the right questions. It took a while for us to realize this and to get into a different way of thinking.

Ted was a mensch, a Yiddish term for a very Catholic guy, but it fits. Ted truly was a good man; there is no other way to put it. He was a person who listened without interruption, a person to whom all students' ideas were worth discussing, and a person who valued everyone. Ted was also somewhat of a saint. He seemed to care more about others than about himself. However, while I find that most saints are not likeable (curious, but true), this is not the case with Ted. Ted was not only likable, he was lovable, and I did come to love him.

These are things to do in memory of Ted. Dress elegantly, but *no* bling. Sing an old song. If you don't know any or can't sing, go hear George Foley at The Tavern Company and hum along. Drink a glass of red wine; go for a run; remember those striking blue eyes and try to see what he saw in others; remember that blazing smile and give one of your own to someone else; and, above all, cling to whatever is your faith and love life.

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*Robert P. Lawry*<sup>†</sup>

Edward Andrew “Ted” Mearns, Jr. was a man of parts. That is an old fashioned way of saying he was a man of many talents and varied interests. I would like to share with you some tales of Ted, as they exemplified some of those talents and interests. I do not expect to capture the whole man in these few words—but I do expect to remind those of you who knew and loved him of what a diamond of

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