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# Tribute to Bill Leatherberry

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# TRIBUTE TO BILL LEATHERBERRY

*Spencer Neth*<sup>†</sup>

Mench is the word that comes to mind when I think of Bill Leatherberry. The Yiddish word *Mench* has been defined simply as “a person of integrity and honor,” but a fuller and more precise definition is that given by Leo Rosten: “Someone of consequence; someone to admire and emulate; someone of noble character.”<sup>1</sup> You don’t have to be Jewish or a man to be a *Mench*, but there are few higher compliments.

When Bill joined the faculty, I was relatively new as a teacher. Because we were generally interested in the same fields of law and shared many of the same philosophical and pedagogical ideals, we became close very soon. That is my memory, but Bill’s unpretentiousness, genuine modesty, and warm personality no doubt made most of our colleagues feel close to Bill, then and now.

I first met Bill before he joined the faculty when he was appearing at a hearing before the esteemed Federal District Judge William Thomas. Bill and his team at Legal Aid successfully argued that the Cuyahoga County courts were garnishing debtors’ wages in violation of the Federal Consumer Credit Protection Act. As a result of that case, the rights of judgment debtors in Cuyahoga County—and ultimately the other Ohio counties—were for the first time respected, and wage earners were permitted to keep at least enough to survive.<sup>2</sup> At the time I was teaching a course in Consumer Protection, and I was there just as an interested observer, but I could tell from that hearing that Bill was someone worth knowing.

In the years that followed, Bill and I grew closer professionally, and personally. Our careers developed in parallel in many ways, and where they diverged, they were complementary. At many points he was of great help to me. I think that many of our colleagues would say the same about his unfailing willingness to help us with his ideas and words of encouragement, but because we overlapped so much in what we did, I think I had a special claim to his wisdom.

Bill taught one of the Contracts sections some years before I had the good fortune to be assigned to teach one of the other Contracts sections, and he was a helpful teacher to one relatively new to the subject. Later, when he needed to drop his seminar in Products

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1. LEO ROSTEN, *THE JOYS OF YIDDISH* 234 (1968).
2. *See* *Hodgson v. Cleveland Mun. Court*, 326 F. Supp. 419, 435 (N.D. Ohio 1971) (concluding that the Ohio garnishment laws were preempted by federal law).

Liability, I took over teaching a course in Products Liability and again he was a great help.

When the faculty decided that every first-year student should take one of four or five “perspective courses,” Bill and I worked together to create a set of materials for a course in “Dispute Resolution.” We continued to develop and improve those materials and that course until I retired, and I think that both of us were justly proud of, but by no means satisfied with, the course and materials. In teaching the course—we alternated teaching each year—we built on each other’s strengths. Bill had, and continued to have, extensive experience as a mediator and as a teacher of mediation. It was a tribute to his skills as a mediator and teacher that he was asked by the United States District Court for the Northern District of Ohio to be in charge of training mediators as a part of that Court’s Alternative Dispute Resolution Program. He also helped train mediators for the Cuyahoga County courts as a part of their Settlement Day program. I had spent some time reading about mediation as a means of resolving disputes, but I had no direct experience. On the other hand, I had had extensive experience doing arbitrations. As a result, we were able pool our knowledge and experience in a way that I think much enriched the Dispute Resolution course.

Building on Bill’s expertise in mediation, I had Bill teach my class when we were covering the topic of mediation. Bill is so modest and soft-spoken that I was not sure how he would come across in the classroom. Of course, I should have known—he came across as modest, soft-spoken, and remarkably effective. I envied how skillfully he got the students engaged and actively struggling with the difficult issues presented in the class. I have to admit I was also envious of the fact that the students and alumni recognized his teaching ability by twice naming him Teacher of the Year—the only member of our faculty to receive that honor more than once.

The final piece where our careers overlapped was in our service to the Law School and the University. We both did our bit as members of the Faculty Senate and on university faculty grievance panels, service that is time consuming, sometimes difficult, and often important. I served as the secretary of the law school faculty and when I was unable to attend meetings, Bill was always willing to take over for me in that thankless, but necessary task. When I retired, Bill succeeded me as secretary, as I knew he would. The fact that Bill was a graduate of both the CWRU college and law school made him especially valuable as a representative of the law school to the greater university.

When Lou Toepfer was the dean of the law school, he used to say that the way you make an institution better is to hire people better than you. The law school has been doing that ever since I joined the faculty, and it certainly did it when Bill Leatherberry was hired. No one will be able to replace him at the law school. I was blessed to have him as colleague, a helper, and an inspiration.