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Wilbur C. Leatherberry

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SPENCER NETH

Wilbur C. Leatherberry[†]

Professor Spencer Neth is retiring after about forty years of service to the Law School and the University. Incredible as that seems to me, I am even more amazed to think that I have been a colleague for nearly all of that time.

Spencer was a tenured member of the faculty when I arrived, and our paths did not intersect a lot in the early years. He and I taught in different fields. His focus was on commercial law and on the first-year course called Conflict Resolution. We talked sometimes about the materials he used to introduce students to legal method and to dispute resolution processes beyond or outside the legal system. He was influenced by the Hart and Sacks materials from his experience at Harvard, and I valued my experience in the Legal Method course taught by Ovid Lewis with materials from Harry Jones, Lewis's mentor at Columbia.

The computer revolution was beginning and Spencer was instrumental in having this school install one of the very first Lexis terminals in a law school. He energetically and enthusiastically participated in the computer revolution—not just with respect to computerized research, but with respect to the use of computers in our teaching and writing. Spencer spent a semester at Stanford as an IBM Law and Computer Fellow and later chaired the AALS Section on Law and Computers. No one spent more time learning to use the new technology, and, in fact, no one is more up-to-date with respect to the use of the available technology even now. When I want to know about the latest software or the latest model cell phone, there is no better source.

[†] Wilbur C. Leatherberry graduated from the Law School in 1968, a year before Professor Neth arrived, and returned as a faculty member in 1973. He served as Associate Dean for Academic Affairs for the Law School from 1992–2000. In addition to his primary field, Insurance, he teaches Contracts, Sales, Secured Transactions, and Dispute Resolution—all subjects that Professor Neth also taught.

For some, the acquisition of the latest technology is an end in itself. For Spencer, the technology is to help him do his work—getting the latest case, preparing teaching materials, keeping in touch with colleagues, and thinking about law and lawyers and their impact on worldly affairs.

Spencer has always been adaptable. When the faculty “reformed” the first-year curriculum, there was a proposal to eliminate the Conflict Resolution course. Spencer argued unsuccessfully that the subject matter of the course should continue to be included in the first year program, and he was right. When the faculty decided that Conflict Resolution would no longer be a required course in the first-year curriculum, Spencer accepted the decision.

He designed and taught a new commercial law course combining Articles 1, 2, 3, and 9 of the UCC. He was warned by many, including Professor Morris Shanker and me, that it could not be done in five credit hours. After a number of years, he reduced that course to a nearly manageable four-credit course that did not include Article 3. As I began to teach in the commercial law area, first with Sales and then Secured Transactions, Spencer was generous with his time and support. When I began teaching Products Liability, Spencer had paved the way and steered me to an excellent casebook and important background material. I had been teaching Contracts for several years before Spencer began to do that, so I was able to return the favor by sharing some problems and some exam questions.

Spencer never really gave up the idea that students should be introduced to legal method and to dispute resolution processes in the first year. He began to teach the first-year elective Dispute Resolution course and undertook to produce his own teaching materials for that course. When I needed to teach that course because of Spencer’s other commitments, he shared his teaching materials. The materials, particularly the section on jury trials, were wonderful for my purposes. With his enthusiastic support, I edited and adapted the materials and used them with my students. Spencer’s enthusiasm for learning and for packaging and presenting what he learns to his students is infectious and I have been a beneficiary for many years.

The law school now has several faculty members with strong ties—even joint appointments—in other parts of the University. Spencer has always had strong links to the greater University community. He served on numerous University committees and on the Faculty Senate, including a term as Chair of the Senate. In those activities, as in his work on Law School committees and as Faculty Secretary, he was fully engaged and active in efforts to improve the

governance of the institution. There were many times of controversy and conflict at both the Law School and University level. Spencer's judgment, his reasonable demeanor, and his sense of humor were always present and valuable.

Spencer has many interests outside the Law School, including travel and classical music—interests stimulated by and shared with his wife, Marjorie. He is a football fan, principally of the Cleveland Browns and the Ohio State Buckeyes. It has been hard to be a Browns fan recently, but Spencer and I have enjoyed a number of games together. He still plays tennis and is taking lessons to improve his game because he is playing with stronger players. Only a person as positive and optimistic as Spencer could expect improvement after so many years.

The law school community—faculty, students, and staff—will miss our daily interactions with Spencer. He set standards for commitment to teaching, collegiality, and absent-mindedness, that few of us can match. He will be cleaning out his office soon and will no doubt find many things in the rubble that will pique his interest or surprise him. I expect that he will share those nuggets as he has shared others. Although our contact will be less frequent, we can look forward to hearing his stories about his travels, about football, and about the improvement in his tennis game.

