

In Memoriam

It is difficult to imagine Washburn Law School, or Washburn University for that matter, without the person who chose for his home internet address the name "Ichabod Ray." For every member of the current law faculty, Ray Spring literally has always been here.

In fact, however, we owe the serendipity of military service for our good fortune that Ray Spring came to Topeka, assigned to Forbes Field as a B-29 pilot after he volunteered during the Korean War. We owe his wife, Lois, for his not as serendipitous decisions to stay in Topeka when his military hitch was up in 1956 and to finish his undergraduate and law degrees at Washburn.

During his senior year, Ray clerked for the Topeka firm of Crane, Martin, Claussen and Ashworth, and practiced law there for six years after graduation. For three of those years he tried condemnation cases, spending at least two weeks a month in Council Grove. One reason he decided to go into teaching, Ray told our student newspaper, *Case and Cane*, was that when his daughter, Sheila's, kindergarten teacher asked students to tell what their parents did, Sheila told the class, "my daddy is a lawyer at Council Grove." "I knew then my kids didn't even know me," Ray said. "I was losing touch." Teaching wasn't any less work but he had more control of when he did it.

Just a year after he joined the faculty in 1965, the tornado hit. Ray helped Dean John Howe plan triage in the makeshift Dean's office set up in John's basement. John soon named Ray the law school's first ever Assistant Dean. Ray later would write, "it is the work of the faculty to think and teach and of the Dean to travel and speak. The Assistant Dean's function is to keep the Dean from thinking and the faculty from speaking."

It thus is not surprising that Ray accepted the position of Dean after Dean Howe retired in 1970. An article in *Case and Cane* by law student Jim Parrish described the new Dean as "a dapper, distinguished looking man of thirty-eight" whose "contagious idealism of a youthful teacher combines with a no-nonsense astuteness of an old guru to reveal a purposive,

singularly inner-directed person, with many interests but one goal: to make Washburn the finest of law schools . . . a tang of Dale Carnegie enthusiasm flavors his voice.”

At a faculty meeting just three weeks ago to discuss the selection of our next Dean, Ray reminded us that the law school today is a far different institution than the one he attended or presided over as Dean. We owe him much to the architect of enormous change and growth. The year he was selected as acting Dean, Washburn had seven full-time faculty besides those serving as administrators, and 300 students. Eight years later, we had twenty full-time faculty and 588 students. When he started there were two librarians and 30,000 volumes in our library; eight years later, there were four professional librarians and a collection of over 80,000 volumes.

There was immense program growth as well. A major issue when Ray became Dean was how Washburn Law School could become better known nationally. Ray had the vision to realize we needed to identify areas of uniqueness we would do better and more extensively than anyone else. Through the force of his will, Washburn became a pioneer in clinical legal education. Our program earned what Ray described as “a deserved reputation as one of the premier law schools in the nation in this avant garde approach to legal education if,” he added, “avant garde can be appropriately applied to a concept that pervaded legal education until the past century.”

For three consecutive years beginning in 1972, Ray was invited to speak about Washburn’s innovations at national conferences of the Council on Legal Education for Professional Responsibility. Four CLEPR grants resulted from his efforts and funded expansion of the clinic into the first and even second year. Ray’s resolve to push the envelope of innovation shows a lot about the man. “Pioneering is not without its risks,” he wrote. “The leader often tears his britches on the brambles . . . we have, quite consciously, taken clinical education as far and quite probably further than it can be taken and still fit within a law school curriculum . . . I think we have been right. There is no way you can know what you can do until you have tried and found the limit. Few schools have had the courage to do this, and I am proud Washburn did.”

Faculty recruitment was not easy then. Ray understood that we needed to lure new faculty from elsewhere. He also understood that we had to rely upon intangible substitutes for

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the competitive salaries we then were unable to offer. Carl Monk was practicing with a large firm in New York with John Kuether when he interviewed with Washburn and some thirty other schools during the Association of American Law Schools annual convention at the Fairmont Hotel in New Orleans.

When Carl stopped by the hotel bar for a nightcap sometime between midnight and 1:00 a.m. at the end of the last long day of interviews, Ray and Lois were there and invited Carl and his wife, Trish, to join them. The four of them ultimately closed the bar, and you know they don't close the bars in New Orleans until at least 4:00 a.m.. Carl has frequently said it was the appreciation he gained in those hours for Ray's humanity, decency, and integrity that ultimately persuaded Carl to cast his lot with Washburn and to reject tangibly better offers from other schools. Knowing Carl, the appreciation he gained from finding a Dean who not only could but would close the bar with him probably was a factor too.

I was one of seven new faculty members hired in 1973 and 1974. Some of those new faculty rapidly concluded they knew more about legal education and what was needed for the future than colleagues that had been at it much longer. In hindsight, I marvel at how Ray tolerated, with what someone has called his "reverential collegiality," our naivety about legal education, guided our enthusiasm toward productive uses, allowed little victories, and even selected one of the seven, Carl, to be Associate Dean after only two years on the faculty.

In his final Dean's report to the bar, Ray discussed with characteristic grace and modesty his decision to leave the Deanship after serving twice the national average time: "I took this step neither in bitterness and frustration (as some have done) nor in protest or under pressure (as some have done). Rather, I made the decision with some sense of satisfaction at goals achieved." In addition to a real desire to return to the classroom, he wrote, "there are other contributions to be made to our profession in my special fields of interest, and I hope to participate in making some of them."

When he became Dean, his expertise was in criminal law, and for more than thirty years he shaped Kansas law through his service on the Governor's Committee on Criminal Administration, legislative testimony, continuing education for judges, and most recently, service on the Criminal Pattern Jury Instructions Committee of the Kansas Judicial Council. I'm

convinced, however, that it must have been his ten plus years of law school administration that persuaded him that the area of law and mental disability was his special field of expertise. He soon became our most nationally visible scholar. Two major articles led to his 1983 book, *THE END OF INSANITY*, in which he argued for the abolition of the insanity defense, and that, in turn, led to his 1984 appearance on the PBS program *Firing Line* to discuss what host, William F. Buckley, described as the revolutionary implications of his proposed reform.” I don’t think I ever saw William F. Buckley as respectful of a guest or more willing to admit his guest knew more about a topic than he did.

Ray helped organize, in Topeka, the Second National Conference on the Legal Rights of the Mentally Disabled, and published, with two co-authors, three editions of the textbook *PSYCHIATRISTS, PATIENTS & LAWYERS: LAW AND THE MENTAL HEALTH SYSTEM* that quickly became the most popular text for courses on that topic at law schools nationwide. He received a joint appointment to the faculty of the Karl Menninger School of Psychiatry and Mental Health Sciences, and other articles and presentations, even internationally, followed.

He would have occasional lapses as a recidivist administrator, twice answering his university’s call to serve as Interim Vice-President of Academic Affairs, but by May 1988, he would describe himself in a feature in our alumni magazine, *The Circuit Rider*, as “generally laid back, sometimes too ‘flip’, and working toward being an old curmudgeon!”

He became the faculty’s poet laureate, clearing the clouds that could envelope an issue with verse that always brought a smile but had enough bite to clarify and occasionally puncture pomposity. Here’s how in 1997 he weighed in on our proliferation of email:

I’m driven about to distraction,
By internet interaction.
A note that’s been penned
Is much easier to mend,
Than this techno-imperfect
contraption!

He was one of the faculty members whose judgment his successors always trusted and whose wisdom they sought on

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difficult issues. He became our institutional memory, although that memory proved on occasion not to be perfect. He once was asked for background about a classmate who was a prospect to help the school. "I'm just sure he graduated quite a few years before I did," Ray insisted, "because he has a daughter in law school right now." One of us had to remind Ray that he, too, had a daughter in law school "right now."

I regret that our six newest faculty members and recent students never had the chance to know the vigorous Ray Spring Jim Parrish described in that article in *Case and Cane*, the one who had the choice when to be soft-spoken. He remained one of our very best and most popular teachers even after complications from bypass surgery robbed his voice of the ability to reach the back of our large classrooms. In an odd way, students may have appreciated each word more, concentrating, and therefore learning, even more. His perseverance and grace, never complaining even when he had to take an oxygen tank with him, taught much about professionalism—and about tenacity when he insisted on playing nine holes of golf in the student tournament when he wasn't strong enough to play eighteen.

One of Ray's former students emailed me this morning from Wisconsin. She had participated in a number of mental health community activities in which he was involved. "Professor Spring not only gave me a good grasp of the subject matter, more importantly, he showed me the way that I want to practice law. He showed me that in a hectic and competitive profession, people can still come first."

Ray could have written as easily last week the words with which he concluded his final Dean's report to the bar: "I have enjoyed my years . . . at our school, and hope I have in some way been worthy of the task. From here on, we will look only ahead, to the bright prospects for Washburn yet to be realized." It's going to be hard work for us to keep those prospects as bright without Ray.

Dean James M. Concannon