TRANSCRIPT OF INTERVIEW WITH PROFESSOR CURTIS REITZ

WHITE: Hi, I’m Scott White. Today is Tuesday, March the 9th, 1999. It is a little bit past 1:00 in the afternoon. Today we are going to interview Professor Curtis Reitz in his office at the University of Pennsylvania Law School. Professor Reitz, let’s get started.

WHITE: Ok. Professor Reitz. I am going to start with your childhood. Can you tell me where and when you were born?

REITZ: I was born in Reading, Pennsylvania in 1929. I did not cause the depression.

WHITE: How about you parents. Where and when were they born?

REITZ: They were born in the 19th century. My mother was born in 1895 and my father, 1892. Both in Reading.

WHITE: What did you parents do?

REITZ: My dad was a jeweler and my mother was a school teacher.

WHITE: How about siblings? Did you have any siblings?
REITZ: Brother. One brother. Older brother. Who is still in Reading, or the Reading area.

WHITE: So I am guessing you grew up in Reading?

REITZ: I sure did.

WHITE: What were some of your interests or hobbies as a child?

REITZ: Hobbies, reading. Every spare moment I could get I would spend reading.

WHITE: Anything in particular?

REITZ: Not really. Mostly fiction at that stage. But, I just loved to read.

WHITE: How about high school? Where did you go to high school?

REITZ: Reading High School

WHITE: What would you say is your fondest memory of Reading High School?

REITZ: That is hard. It was a, for me a huge school. I think my graduating class had about 700. I had some very good teachers. That is probably the things I would remember most.
WHITE: Where there any activities you were involved in high school that you can remember?

REITZ: We had some clubs. One of the things I remember was a fellowship club. One of these early civil rights movement projects for kids. I did some printing. I liked printing. Printing presses fascinated me back in those days.

WHITE: Shifting to college. Why did you decide to go to college?

REITZ: Oh, I never thought of any other choice. It just seemed inevitable.

WHITE: So you knew in high school, all along you were going to college?

REITZ: Oh yes.

WHITE: What colleges did you consider attending?

REITZ: Penn.

WHITE: What attracted you to Penn?

REITZ: I had a distant cousin who had gone to Penn and had some relatives here in Philadelphia. So I had seen the campus. In those days it was a very big football
school. Penn was in the top 10 in the nation. And I think that had some influence. Skippy Missy was playing for Penn in those days. It was quite a powerhouse.

**WHITE:** Do you remember anything about being involved in activities here at Penn as an undergraduate?

**REITZ:** Oh yes. I spent a lot of time on the radio station here at Penn. That was probably most of my time at WXPN. I was on the debate team. I was involved in the Christian Association. What else did I do? Mostly the radio station. I was there a lot.

**WHITE:** What did you do at the radio station?

**REITZ:** I had went through all of the levels from the lowest level of grunt up to Station Manager.

**WHITE:** What attracted you to working at the radio station?

**REITZ:** Well, it was a new activity back then. I guess the station went on the air somewhere around '45. So it had been just going about two years. I think some of my college friends in the dormitories got interested and got me interested. I got caught. I even thought about doing radio as a career. Eventually decided not to, but...
WHITE: How come?

REITZ: Law school was more attractive.

WHITE: Where there any programs that you hosted that you remember when you were at the radio station?

REITZ: I did a lot of what we then called disc jockey work. We had morning… We were not on the air all day long. We had a morning program and evening programs and I did a morning show which was recorded music. And in the evening I did a news program once a week.

WHITE: What would be your fondest memory of college?

REITZ: Oh clearly the radio station. Oh yes. That took most of my waking hours.

WHITE: How do you think college was different then, then it is today?

REITZ: Well it is hard for me to know what college is like today from a student’s perspective. But there are certain things that are pretty clear. One, it is certainly a lot more intellectually demanding today then it was then. College was kind of interesting, but easy. But I think the curriculum has expanded enormously. We didn’t have anything like college houses or activities of that kind. It would be really hard for me to make a
really good comparison because I can’t live the life of an undergraduate these days. I can’t imagine what it is like.

WHITE: Did you have a major focus of study when you were here?

REITZ: History.

WHITE: How did you choose history?

REITZ: I guess it came more or less naturally. I knew I was going to law and was looking for a good pre-law type program. I remember, with a certain level of astonishment, running into my first college courses in history which were absolutely fascinating. So much more interesting then high school had been. I just got turned on. They had a good history faculty in those days.

WHITE: Is there any particular member of the faculty that you remember as having a significant influence on you?

REITZ: Names are hard. Professor Francis. I think it was Russel Francis or Francis, Russel Francis I think just stood out. He left Penn shortly after I started in undergraduate, but an amazing man. There were a lot of good history professors in those days.
WHITE: You said you knew you were going to law school. When did you know you were going to law school?

REITZ: I guess I decided, probably, somewhere in junior high school. Around 12 or so, age 12.

WHITE: How did you decide at that young age, that you knew you wanted to go to law school?

REITZ: I had, I guess two things that I remember. One was, there was a radio program back in the 40's. I think called Famous Jury Trials. Which was kind of a modern day version of L.A. Law on radio. I got hooked by that. But the thing that really got me was reading biographies of lawyers. The one that I remember very clearly was the biography of Clarence Darrow. It had big influence on me. I was going to be a trial lawyer.

WHITE: Did you go straight to law school after college?

REITZ: No, I went in to the service.

WHITE: For how long?

REITZ: Two years.
WHITE: What did you do in the service?

REITZ: That was the Korean War period. I spent most of it in Korea.

WHITE: How do you think that effected you, in terms of going to law school after spending two years in the service?

REITZ: Oh, I was a much better law student then I would have been if I had gone directly. I think, I used to advise people, if you can afford the time, take a couple of years off after college before you go to law school. I really think it helped me enormously. I was quite ready to go to school when I came back.

WHITE: Did you know you were coming back to Penn or did you consider other law schools?

REITZ: I was thinking about Penn or Yale and ended up choosing Penn.

WHITE: Why?

REITZ: I liked Penn. I was then engaged to a young woman who preferred Philadelphia to New Haven. And, the idea of coming back to Philadelphia after being away for two years was more attractive then staying in Philadelphia after four years of college.
WHITE: What was it like to come back after being away for a couple of years? Since you were already familiar with the city.

REITZ: Well, when I was an undergraduate, I almost never left the campus. I was typical of what of a lot of undergraduates those days were. We used to live in the dormitories. Spent the entire week on campus. It was... In law school I lived out in West Philadelphia. I got married my first year and so it was a totally different life style.

WHITE: Was it common for law students to be married at that time?

REITZ: No. No. There were a few veterans who were married, but it was not common.

WHITE: Was it common for people to take some time off before coming back to law school at that time?

REITZ: Involuntarily. The army called.

WHITE: Do you remember your first day of classes at Penn Law School?

REITZ: No, not really. I remember a lot about the first year, but not about the first day. No.

WHITE: What can you remember about the first year that stands out?
REITZ: I had this wonderful group of teachers. Unbelievable faculty. Leo Levin and Clarence Morris, Lou Schwartz, Paul Michigan, John Honald. These were giants and they were SO good. It was just a fabulous year. Absolutely wonderful.

WHITE: What activities were you involved in at Penn Law School?

REITZ: Well first year I didn’t do very much at all. I was working part-time, so I didn’t have a lot of time for extracurricular work here. But second year I got on the Law Review, and that was it. The Law Review soaked up an endless amount of time.

WHITE: You said you were working during your first year. What did you do?

REITZ: I worked for United Parcel Service. They had an office just across the river and I got hired to do some detective work on their accounting system. The accounting systems in those days, this was all pre-computers, and it was all hand, hand-done kind of accounting. A lot of this, what do they call, their subsidiary accounts, were out of balance. Their main accounts were in good shape, but their subsidiary accounts didn’t have the level of importance that the regular accountants were working on. So I spent a better part of the year untangling a lot of difficulties in those accounts. It was fun. I enjoyed that.
WHITE: You mentioned the Law Review. Tell me about your experiences with the Law Review here.

REITZ: I had a good time. Spent the second year as an Associate Editor and the third year as Editor-in-Chief. Two good years.

WHITE: What did you learn from that experience?

REITZ: I learned a lot about writing and research and the law. It was, I think probably as far as education goes, it was, it was the most powerful influence on me. Because you are teaching yourself. Wonderful time, wonderful group of colleagues.

WHITE: And the physical structure of the law school when you were here. Can you describe that for me briefly?

REITZ: It was the original 1900 building that had not been revised or improved for 50 some years. Pretty run down physically. It was basically what we now call Silverman. Where we are sitting right now was one of the classrooms. This was classroom number one. There were three classrooms on this side of the building and two on the other side with a courtroom in the middle. Most of the faculty were on the second floor. They had offices that they had carved out of the end of the two big reading rooms. So each reading room had six faculty offices in it. The library had, you would
almost have to see pictures to imagine the stacks that went from the second floor to the sixth floor. Pretty run down.

**WHITE:** How many students were in each class?

**REITZ:** My class, I guess, I think we started with 175. I think that is right. We graduated 125. And we split between two sections. We had about 85-90 students in each section.

**WHITE:** So I guess there was a relatively large drop-out rate?

**REITZ:** There was some drop-out, there was some flunk-out. Those were the days not too long after the famous, “look to your left, look to your right, only one of you is going to be here next year” period. There were people who changed plans. Always have some problems arise for people. There were some failures. One of the physical features of the building that is being restored is the old Italian tile floor out there in the main hall area. People are admiring this great floor. That was the floor, of course, when I was a student. There is a movie that was made. A Paul Newman movie. I think it might be called The Young Lawyer or Young Philadelphian. About a Philadelphia, Penn law student played by Paul Newman. It was made when I was a third year student. In that movie, they created a set which is identical to what the main floor of what the law school looked like in those days. We all thought they were going to do the movie here. But they didn’t. They took photographs and then built the set in Hollywood. So
when you see it, if you ever look at the... Have you ever seen the movie? I think we ought to have it around here. I bet the library has a copy. They should have anyway.

WHITE: That must have been exciting?

REITZ: Well, we all thought we were going to make a lot of money as extras. We were all prepared. This was going to be a big event. When Paul Newman showed up... I forget who the leading actress was, but we thought this was going to make our budget for the year, to be students in the class. Well, they never... They came one day, took a lot of still photos and that was the last we saw until the movie came out.

WHITE: How accurate was the portrayal in the movie?

REITZ: Of the building?

WHITE: Of the building, of life?

REITZ: Well, the story was quite strange. It was a romance of this law student, kind of like an early version of The Graduate. The wife of a senior Philadelphia lawyer falls in love with this law student. I wouldn’t call it a great movie. Not a great movie. It’s a good movie.
WHITE: How do you think a typical day in law school today is different than a typical day was for you at law school?

REITZ: There is so much more space that students aren’t as visible in large numbers. When you had only this one building, this main, what we now call the Great Hall, between classes it was just full of people. And, so that kind of a meeting place is gone. The school, almost all the classes were in the morning. There were hardly any afternoon classes. So law students left. That was why I could go to work at UPS in the afternoon. The Law Review, we had kind of special space. There was an office where the faculty... where there is now a seminar room. But where the faculty library used to be, remember that space which is now a seminar room off the Great Hall. That was all the way. Where the kitchen is off that room, back to where the secretaries are in 146. That was the Law Review space. And upstairs, we had what I guess is still called McMertry Hall. It is the space where the Alumni Office now is. We had that space with desks and working carols. And a little space in what is now called Goodrich. And Law Review students, we were there from early in the morning until midnight working away in one of those spaces. So, the Law Review people were here a lot. I think other students spent a lot less time in the building. It was the only journal we had.

WHITE: What was your fondest memory of law school?
REITZ: I had a lot of good times. I thought that was a great time. Probably the people. The classmates, faculty. It was kind of a splendid society.

WHITE: Was there anything you didn’t like about law school?

REITZ: Not really. I think I was enjoying myself enormously. I even spent my summers here working as a research assistant for Professor Schwartz.

WHITE: What type of research did you do at that time?

REITZ: He was one of the co-reporters of the Model Penal Code and he had several of us working on different chapters of the Model Penal Code that was then being done for the ALI. So I was here year-round.

WHITE: Was law school what you expected it to be?

REITZ: No. I think I had a very, very naïve notion what law school would be like. I think, like a lot of people, I thought it was going to be a lot of rules that you had to cram a lot of information in to your head. That there was this body of knowledge which would have to be mastered. And I wasn’t at all prepared for the Socratic style of teaching or for finding out how much the law is always being created rather than looked up. As I look back on it, I am amazed how little I knew about this profession before I got into law school. That may be typical of a lot of people, I don’t know. I had never known a
lawyer in my life, never been in a law office or courtroom other than reading. I had never physically been there. Quite a shock. Quite a shock. But a very pleasant surprise, very pleasant.

WHITE: What was your favorite class when you were here?

REITZ: Favorite class? That would be hard. I liked them all a great deal. There were a few I didn’t like very much. I think probably of that first year, I think Torts was just fascinating. I think I got more out of that then I realized I was getting. Clarence Morris was a wonderful teacher.

WHITE: If you had to pick a professor that influenced you most, would that be him?

REITZ: He would be among them. Leo Levin had an enormous effect on me, still does. Wonderful... He is still here. John Honold, Lou Schwartz. I think I was fortunate having a lot of good relationships with all those people.

WHITE: Here is a yearbook from 1956, the year you graduated from Penn.

REITZ: I think this was the first of the series of yearbooks that I guess still goes on. One of my classmates, who since died. He had been the Editor of the Record. Do you know the Record? It is the undergraduate yearbook here at Penn. He enjoyed doing that as an undergraduate. When he got to law school, he said why don’t we have a yearbook.
So I think this is the first of these books that was done. And, he... This is Cosmotor. He was the editor. Oh, he is right above me there, yes. Here I am. You can see it was a much smaller school in those days. We had... You recognize that office. That is Howard Lesnick’s office now. That was the Dean’s office in those days.

WHITE: Did you keep in touch with any of your peers after you graduated?

REITZ: Oh yes. Still do. One of my classmates, the one I think I run into most often because of her work is Dolores Slobider, who is on the Third Circuit. But, I see a lot of my classmates. We have some wonderful reunions. I guess we’ll have our 45th coming up in two years. That is amazing.

WHITE: What did you think you were going to do when you graduated? When you were still a student here.

REITZ: I already knew that. I was a third year student when the faculty hired me to teach. So I stopped looking for a job, I had one.

WHITE: When did you decide you wanted to Clerk?

REITZ: The clerkship offer came after the faculty had asked me to join. So, I took a kind of a year, postponed starting for a year to clerk. The clerkship came in somewhere around March. They picked very late in those days. I wasn’t about to give up that clerkship.
But prior to the faculty offer, I was looking at law firms. Doing the usual. I was shopping. There was no placement office. The notion of a placement service was non-existent and law firms did not come to the law school. If you wanted to be considered, you had to go down and knock on the door of law firms. I visited a few.

**WHITE:** Here in Philadelphia?

**REITZ:** And New York and Cleveland. I came very close to Jones Day at one point.

**WHITE:** What did you hope to get from your experience as a Clerk?

**SIRENS IN THE BACKGROUND FROM OUTSIDE.**

**REITZ:** A little extraneous noise. That is part of being here on 34th Street. On the road to the hospital.

**REITZ:** Oh I looked on that as an adventure. This was within a few years of Brown v. Board of Education and the early years of the Warren Court. It was an enormously exciting time to be close to the work of that court. This was for me kind or an unbelievable dream come true. I never applied for the clerkship. You didn’t apply in those days. You were selected by recommendation. And I didn’t even know I had been recommended.
WHITE: Who recommended you?

REITZ: The dean.

WHITE: What do you remember about your clerkship?

REITZ: Great year. Fascinating year. I had always admired Earl Warren from the days that he was a national political leader figure. And he turned out to be kind of a fascinating father figure to me. I lost my father when I was very young. So I never had an older man who was a major part of my life. And Warren became kind of an instantaneous father figure for me. But, the whole court was fun. We had a very interesting docket that year. It was not the desegregation cases anymore. They were out there going with all deliberate speed at that stage. It was the post-McCarthy period. And the Court had a lot of cases that were coming up that were the so-called Communist cases. Smith Act cases and the like. But it was an unbelievably fun year. Hard work, very hard work, but marvelous. Largely because of Earl Warren. He was just a fascinating man to work with. He would talk at great length about his early life and his political career and things he had tried to do. Some of the successes and some of the failures. So we got an insight in to his background. Very open. The Court was wonderful. Excellent. Frankfurter was still there. Black was there. Douglas. The very first day I arrived, Sherman Minton came into the office, which was his last... You probably don’t even know who Sherman Minton is. He has disappeared from the popular mind. But he
had been on the Court for years. He was one of Truman’s appointments. And he came by. A wonderful man from Indiana. He was going around the building saying goodbye. He had retired. It was his last day in the courthouse. Harlan, Burton. It was a fascinating Court. Brennan of course arrived. He replaced Minton. We became life-long friends. Great time. Clerks were quite a fascinating group. There were only 18 in those days. They have more now. I think they are up to 36 or so. We had our own lunch room. Kind of a special place in the building where we could have our own conferences. Fascinating.

**WHITE:** Was there any one case in particular that you can remember working on when you were a clerk?

**REITZ:** Well, there were two cases that I spent most... I guess I spent more time on then any of the others. They both involved investigations where the suspects were members of the Communist Party. One was out of the un-American Activities Committee and one was out of New Hampshire. The Watkins case and Paul Swezis case. They were probably two of the major communist cases of that year. But we also had the first of what turned out to be a long series of pornography cases. Which was very hard for the Court. They were having great trouble with those. Justice Brennan and I got in to a long discussion of the FELA cases. Federal Employers Liability cases. The Court was hearing a lot of FELA cases in those days. Much to Frankfurters chagrin. Toward the end of the year we had a case involving jurisdiction over trial of a, I think it was in the army. He committed the crime somewhere in the Far East. Maybe in Japan. And it
was a huge question of jurisdiction that came up. We had some capital crime cases. Those were tough. We had a mix of things. But no desegregation cases that year.

**WHITE:** What was it like to return to Penn now as a professor after leaving for a year?

**REITZ:** Weird. Very weird. All these faculty members who had been Professor this, Professor that, Dean Fordham. Getting to become a colleague rather then a student. That was hard. That was really hard. And there were some students in school who had been fellow students at the time I graduated. The class of ’58 had started school before I graduated. And I taught a class, I taught a course in the Class of ’58 that was my first year of teaching. So that was strange, as you might well imagine. One of my own classmates, who had some how gotten out of synch, ended up in that class. He didn’t graduate with us, he graduated I guess two years later.

**WHITE:** Do you remember the first class you taught?

**REITZ:** First class I taught. I am not sure. First year I was teaching Civil Procedure and Sales. Sales and Sales Financing. I can’t remember whether Civ Pro came first or Sales in the week. I do remember spending most of the summer preparing for my first class in the Sales course. By the end of the first hour I had used up the entire preparation. I don’t know what I thought I was doing. That was pretty weird. I guess we didn’t call it Civil Procedure then. I think we called it Judicial Remedies, maybe not. Somewhere along the way it changed from Judicial Remedies to Civil Procedure.
**WHITE:** How long did you think you would be here? When you started teaching, how long did you think you were going to stay?

**REITZ:** I don’t think I ever thought about it in those terms. I wasn’t sure I was going to like the academic life. Like anything else, you wait and see. But I am still here. I like what I am doing.

**WHITE:** What did you learn about teaching during that first year?

**REITZ:** That’s hard. I think one of the things, obviously, is the difficulty of trying to match the material to the method. That’s hard. I think getting something of a sense of the different ways that people learn. When you are doing it yourself, you don’t have to worry about how other people are thinking or how they explore a subject or how they take it in. But when you are teaching, you have to realize that there are a lot of different ways of thinking about the subject. There are different speeds of absorption. I think it came as a very big surprise to me how wide the variety of the pace was in learning, in the learning track.

**WHITE:** Did you ever think you would leave Penn to go teach somewhere else?

**REITZ:** Not really. I never tried to. And whenever telephone calls came from anywhere else, I was never receptive. I did teach one year at Washington and Lee and I loved that. I
almost, almost decided to stay there. I just found that such a total change from
Philadelphia. Have you ever been to Lexington, Virginia? It’s an amazing little town.
Washington and Lee is quite a university. The law school there is quite an interesting
place. But, didn’t stay. Came back.

WHITE: How is it different?

REITZ: Washington and Lee. Well it is a southern school that has a very small town. Had a
very interesting building that had been a brand new building had just been put up. Had
a very large benefactor who not only built the building, or contributed the money for
the building, but he and his wife put their personal art collection in the building. So it
was kind of a modern art museum. The students in Washington and Lee were kind of
unbelievably respectful. They dressed like you were dressed today. Coats and ties and
by those days, in the early 80’s, the style here at... had gone in to grunge in a big way.
That was quite intriguing. Interesting faculty. But, Lexington, Virginia was a... the
environment in Lexington was so interesting. I never experienced that kind of totally
rural piedmont country area. The colonnade... have you ever seen the colonnade at
Washington and Lee. It is now a historic monument. Very famous architectural
feature of Washington and Lee. If you ever see a picture, you would recognize the
picture. I am sure you have seen it many times. And I had a little house sitting right in
front of the colonnade, which I was living in. Neat place.
WHITE: How would you describe your teaching style?

REITZ: Style. Oh it changes all the time. I don’t think I have ever kind of developed a permanent style. I think certainly when I was teaching first year I was much more Socratic. I think in more recent years I am much more likely to talk then I was in the beginning. I used to lecture by indirection when I started teaching. Try to lead rather then push. I do a lot more pushing.

WHITE: You spent a little time in administrative positions here at the University of Pennsylvania. From 1971-73 you were the Provost and Vice-president of the University. Why did you decide to take on this responsibility?

REITZ: I got in to it by way of the organization here at the University we call the Senate, the Faculty Senate. When I started teaching, the faculty were expected by our seniors at least to take part in the Faculty Senate. It was a major function of academic governness here at Penn. So I started doing things in the Senate and became fairly active as a member of the Senate. Got to know a lot of people in the University and I got alarmed about the future of the University. Which worried me a great deal as I saw it back in the ‘60s. And I became fairly critical of the path that we were on. So it was sort of a natural progression. Well, from being a critic to why don’t we see what you’ll do about it. So I took it on. It was a huge two years. Huge. But we did make some big changes.
WHITE: What stands out most from that time period for you?

REITZ: Well, you mean apart from the blur of the work. I think kind of the image of turning a huge ship from going in one direction to going a different direction, I think is a pretty good model. The University is a very hard thing to steer. But we had to change direction. We started what is still going on. That is a major effort to improve the undergraduate experience at Penn. Started the college houses and university scholars and freshman seminars. A variety of ways of trying to get the undergraduate program in to a better structure. That was one huge piece. The other was financial. The University was in serious financial trouble. We were running annual deficits that were really very very difficult. Threatening to the University. The University does not have a huge endowment. So running deficits was not a very pleasant prospect. We had to get out of that. So we changed the whole financial structure of the University around. We put in something which is now I guess called responsibility center budgeting. Which required the deans to take on a major responsibility for the financial well being of their schools. That was not the pattern prior to 1970-71. And that took a lot of effort to put that in place. But we got out of the deficits. We got... we are still working on some of the major themes for undergraduate education. College house system is growing. The freshman seminars are growing. President Rodin has something called preceptorials which are in the same vain going. We had faculty members in those days who thought the undergraduate program could not be salvaged and we should turn the University into a graduate school. Just abandon the
undergraduate program. Or abandon the first two years and start with Juniors. That was seriously proposed… by senior faculty. Not something that made any sense to me. We had the health side across from Spruce Street was in major trouble. The hospital was in big trouble. So we spent a lot of time over there.

**WHITE:** What did you learn from the experience?

**REITZ:** Oh an enormous amount. I had never run an organization that size or had been part of the senior management of an organization that size. So I learned by doing a lot of what it takes to run a large organization. I learned a lot about the University that I didn’t know. An enormous amount. I got to know a lot of people that I would not otherwise have gotten to know. I got to learn a lot about financing. Financial aspects of a large enterprise. It was a very steep learning curve.

**WHITE:** Did you ever consider staying in an administrative position?

**REITZ:** No. No, I had young children at the time. I can still remember the day when I decided this was enough. It was Father’s Day, which was a Sunday. I went home from work late in the date and my kids were all in bed. And one of them had drawn a card. Happy Father’s Day card, hand drawn. And she wrote in it, “Dear Daddy, We love you even though we never see you.” And I thought, this is ridiculous. Absolutely insane. The kids are going to be gone way too soon. I decided, back out.
**WHITE:** From 1973-1986, you served as a Counselor to the President. What was that role?

**REITZ:** We did a lot of different things. The main thing we were worried about in those days was the relationship of the University to the Commonwealth. It was very fragile. Still has some fragility. But the University was receiving an annual appropriation from the Commonwealth that represented something close to maybe in excess of 20% or our educational budget. It wasn’t 20% of the University budget, but 20% of our educational dollars were coming in annual appropriations from Pennsylvania that were, under the Constitution of Pennsylvania, they were not in the regular budget. They were in a special budget that required a 2/3 vote of each house to pass. Penn had built up this dependency on this money starting in 1911. But it had grown. In percentage terms, grown to a level where we could not do without it. And yet, every year we had this potential that some political disaster would strike. So we were looking for ways to build a more durable relationship with the Commonwealth. That was the main thing I was trying to work on. Trying to figure, can we do it by contract, can we do it by some kind of quasi-public status. A major problem was the veterinary school. Veterinary school is the most expensive education you can possibly have. I used to say it can’t be done without public funds and that is still true. But there are now one or two private university veterinary schools. But most of them are public. Veterinary school is a huge risk. It was and is the most dependant on state aid.
WHITE: You served in that role for approximately 13 years. Did the position change at all over that time?

REITZ: Oh this was only a very small part-time. I was teaching full-time here. I was not. This was simply trying to work out… Solve a problem that was a serious structural problem at the University.

WHITE: In various capacities, you have been around the law school for approximately 45 years now.

REITZ: That’s true.

WHITE: How has it changed over that time period?

REITZ: Well, the biggest changes you see every day are the physical plant, which is enormous. The faculty is now probably close to 40 some. When I started I was number 15 on the faculty. The student body has grown from, we were under 500 certainly in my day. Now we are 7-800. It hasn’t been enormous, but it has been huge changes in otherwise. We have now 40 some percent women. We had virtually no women in 1953. We have strong representation of minority students which we did not have in those days. We have students now from much more diverse geographical backgrounds. But much more homogenous social backgrounds. My class, they were all people like me who came out of blue collar families. I don’t think we have a lot of
blue collar family types in law school. The process of getting admitted to a school like this is so hard if you haven’t gotten a really fast start very early. We don’t have what I used to call the salt-of-the-earth types, in the same numbers anyway. The alumni, in my days, starting out here, the Philadelphia Bar was a large number of Penn alumni. We kind of dominated the Philadelphia Bar. We don’t do that anymore. Our alumni are much more geographically disbursed. In recent years, more are going out of Philadelphia then... More are going to New York then any other city. Financially the law school is on a much more solid base. With only 15 faculty and a small building, it was quite a different operation. But, most of those changes I think are wonderful. Not all of them.

WHITE: What advice would you give a law student starting out today?

REITZ: I think one of the things you learn over time is that advice is not something most people want. It’s one of those things which usually you wait until somebody has a pretty clear notion of what they want to do, then you say “yes that’s right, go for it.” I think the one bit of advice I would give young people today is that the future in this profession is going to be radically different from what has been in the past. We are going to see much larger organizations of lawyers delivering legal services then we have seen in the past. And the notion of being a salaried lawyer is going to be, I think, rather then law firm partner, is going to be much more likely the future of many, many lawyers in the profession. How those organizations are going to work, I think to me is a puzzle. We don’t know yet. The other big, big change that is coming down the road
and I think students are not aware of it is the geographical space in which lawyers are going to be providing services is not going to be the United States. And preparing for the global economy, preparing to be a lawyer in the global economy, as you know I preach about this in the International Trade course. But so few students seem to be aware of it. When I came to law school in ’53, there were some law schools that were still teaching the law of Idaho or the law of Wyoming. And there were lawyers who thought that for their future lives, that going to a law school in the state where they were going to practice and learning the law of Idaho would be the right thing to do. And going to a national law school was kind of diluting that. So called national law school. Well, we’re now going to a national law school is like going to a national law school 50 years ago. Not going to be good enough. And preparing for the internationalization of law I think is good. A piece of advice I think I would give to young lawyers. The huge institutional delivery of service is coming. Its coming to all the professions. Its coming to medicine. Its coming to law. We may end up becoming, many of us, part of the law department of big accounting firms who are rapidly in the world becoming the… trying to get a large piece of delivery of legal services part of their function. But there are big changes coming down the road. They are going to hit your generation before you get to your interview of your life at the law school.

WHITE: What do you think has been your most significant contribution to the Penn Law community?
REITZ: Probably, I think the thing I enjoy most is talking to alumni who remember learning something in a class. Not too long ago I was talking to a man who is about to retire as a senior partner in a law firm. He said the most important thing he ever learned, he learned in a class with me. Never paraphrase a statute. When things like this come back. I think I probably have more than 7-8,000 former students out there somewhere. And I hope... when you are a teaching game, you have a kind of immortality in what your students do. That's nice. I've been trying to improve the curriculum. Early on I was trying to get rid of capital punishment. We didn't succeed in that. We did save federal habeas corpus from early demise. Although it's been whittled away. Probably not improperly so over time. But back in the early mid-50's, federal habeas was very important. Good stuff.

WHITE: Switching gears now to some of your academic work. Do you remember what the first article was that you published?

REITZ: It was on federal habeas. There a move around in '57-'58 in Congress to amend the judicial code to eliminate federal habeas corpus. The first things I was writing were attempts to demonstrate how important that was to enforcing the Constitution in criminal cases.

WHITE: What do you think was the most significant work you published?
REITZ: I have done a lot of stuff in commercial law, consumer law. That's where I've been spending most of my time lately.

WHITE: In 1995 you published an article, "Building a Sentencing Reform Agenda" with Kevin Reitz. Who is he?

REITZ: My son.

WHITE: What was it like publishing something with your son?

REITZ: Oh, we had a wonderful time. I've had this kind of long hobby in criminal law. From federal habeas days, even back to Model Penal Code. And one of the things I did in the 60's was to work with the American Bar Association and what was called the Criminal Standards, started out Criminal Minimal Standards, they modified it to Criminal Standards Project. Well, the second round of that was when they came to sentencing, they asked me to do it. Well I said I can't do it alone, but I said if I can have a co-reporter I could do it with. They said do you have anybody in mind. I said I do. Kevin was then starting out his academic career. So we took that on for the ABA. It was I guess three years of pretty intense work on sentencing. It was wonderful. I was talking to him on Sunday night. We used to have not just the meetings with the ABA committee that was doing the project four or five times a year, but we were intensely engaged in the work between the meeting. And one of those, we spent a
summer vacation together drafting the agenda for what we thought could be done as sentencing reform. I really enjoyed that. He did too I think. And sentencing is still a huge problem. We were talking about the approaching two million people in prison statistic that came out this weekend. Just staggering. What’s happening in the sentencing world. I still think that sentencing should be the major criminal law course in law school. And I don’t think we teach sentencing at all, or hardly at all. Law school curriculum is devoted to the guilt phase, not to the sentencing phase of criminal process. Which seems to me to have it backwards. There are very, very few criminal prosecutions in which there is a serious dispute about guilt but every criminal prosecution has a sentencing question. But my colleagues that teach criminal law don’t agree. They are much more concerned with responsibility and due process and all of that good stuff.

**WHITE:** You have been involved in a significant number of professional activities throughout your life. I want to talk about a few of those, not necessarily in order. You became the Director of the Center on Professionalism here at the University of Pennsylvania back in 1994. What is the Center on Professionalism?

**REITZ:** What was. This was one of our, I thought one of our better efforts. One of my great regrets, how it ended up. Professional responsibility was not part of the law school’s curriculum here or anywhere else in the 50’s and 60’s. I can remember, we had one lecture, one day. When I was a third year student. Henry Drinker came out and gave a lecture, and I didn’t go. It was my entire education in professional responsibility. But
in 1969, the ABA adopted the Code of Professional Responsibility and law schools began teaching the subject. And I was one of the two or three faculty members who started giving regular courses in the subject. And the courses, I never liked the courses that I was involved with. So we came up with this idea of doing a first year course in the January break between the semesters. Which we would have team teaching, intensive course, with essentially a two semester hours course taught in two weeks. Out of that project came the Center because we started designing materials for the course. And we needed an umbrella organization. So we called it the Center on Professionalism. And raised some money to support the activity. We had a little bit of staff. We ran this experiment for a number of years. During most of that time, Judge Spaith, who was then part-time on the faculty here, was the Director of the Center. And when he stepped down as Director, I, toward the end of the Center’s life, I took it on for a year or two. But, in fact sitting over there on the window ledges are the case studies that we produced in the Center that were widely regarded in their day as the best set of case problems in professional responsibility. The Center came to an end when the faculty got rid of the January term. When the January term disappeared, the course didn’t have a place anymore. So it has reverted to an upper level course that is being taught by individual faculty members. Did you take the course? It’s quite different from what we were doing when we were teaching it as a group. But we had some fascinating, wonderful kind of working together, working on problems, that the Center was at the center of. And it is one of my great regrets that that Center is no
longer, or the January term has disappeared and the Center is become pretty moribund.

We had a good run, we had a good run.

WHITE: How about your involvement as a Commissioner of the National Conference of

Commissioners on Uniform State Laws? I guess you got involved with that back in

’75 and you were on the Executive Committee from 1991 to 1993. Why don’t you tell

me about your involvement with that?

REITZ: Well, that’s been a big part of my professional life. I’m going to a meeting this

weekend. Drafting committee meeting this weekend on revising Article Two of the

Commercial Code. I spent a lot of time on that. A huge amount of time. The

Conference is over a century old now and produces uniform state laws. Mainly

commercial, not entirely. We meet once a year in the Fall Conference for eight days.

And in between meetings the drafting committees are working. And I have been on

any number of drafting committees for different projects. In between drafting

committee meetings there is a lot of preparatory work going on. It has been a big

effort. The Commissioners, in Pennsylvania at least, are appointed by the Governor

now. When I first got appointed in 1975, it was a Governor could nominate, but the

Senate would confirm. And I think maybe my first two terms were, sort of the first

term, the Senate was involved. Then they changed the law and its now the Governor

selects Commissioners for four year terms. My current term expires next month. I

think, at least I hope, the Governor is going to reappoint me. Some hope of that. So, I
have found the legislative process to be one that I really enjoy. And I think I have done some good work at it too.

**WHITE:** I know recently you have had a lot of involvement in drafting new provisions of the Uniform Commercial Code. Why don’t you tell me a little bit about that?

**REITZ:** Well, we started revising the Commercial Code several years back. I got involved primarily with Article Eight, which is the Investment Securities Article. And I got to be Chair of the drafting committee that did that revision. We finished that in 1994, 1994 I think. And I have been on the drafting committee for Article Two, which is meeting this weekend. We did Two, I have been working on Article Two-B, which is a new article on licensing of information. Some work on Two-A. I am working on the drafting committee on Article One. So we are getting down to the final revisions of, so we have almost the entire code revised. It is going well, so far. Turbulent at times, but going well. Hard work, hard work. One of the things I, you learn an enormous amount about the way the law effects people as you work on these projects, because one of the things I have helped to stimulate is to get public involvement in the process of drafting. We used to draft our uniform products and then put them out for public discussion and adoption. But I thought that was not the right cycle. We ought to get the public comment in before the drafting had been completed. And we’re getting a lot of attention from a lot of interested people about these drafts. And you learn an enormous amount about the way the law effects different people and groups when you are sitting in the law-making seat and hearing from them about what will help and
what will hurt their activities. Fascinating. The Conference is a good, tremendously interesting group of people. I don’t know of any professional body quite like it. Most of the Conference is made up of practicing lawyers. About 15% are academics and a few judges and a few actual legislators from state legislatures. But, its one of the most stable organizations. There are people who have been there for 30-40 years doing this work. In fact I just got notice yesterday, one of the senior members of the Pennsylvania delegation died last week. And… practicing lawyer from Harrisburg who had just devoted an enormous amount of his life to this Conference. And looked forward to these annual meetings. I don’t know any professional group. You couldn’t buy that kind of talent, if you were doing it with any kind of salary. None of these people get paid a penny for their work. It is all volunteer. It is quite, quite good. And, you know for me, the friendship, I have friends now all over the country. Commissioners who are, a little extended family. Great group. I would really miss that.

**WHITE:** Continuing with other professional activities. You have also been a member of the Board of Overseers at Widener University School of Law since 1975. How did you get involved with that?

**REITZ:** Accident. Most of the things that happen to me, happen by accident. I was living in Wallingford at the time. And across the street from my house is the home of the President of Widener University. Clarence Mole was the President in those days. And we were friendly neighbors. The law school that had started in Wilmington had been
denied accreditation by the American Bar Association. They were operating out of a church. It started in a YMCA, they were operating out of a church. They were in their third year of operation and the ABA said no accreditation. Which meant their students could not take the bar. They could not be admitted to the bar. They were kind of desperate. The ABA said we would not accredit a free standing law school. You have to have an academic home of some, of some stability. The University of Delaware had turned it down. They did not want a law school. So, the Delaware Law School people had approached Widener and said could, would you adopt us. And Clarence Mole had no, he was President of the university, but he had no idea what a law school was like. So he came across the street and started consulting with me about whether to take this law school in to Widener. What are the pros and cons of setting up a law school out of state. Because Widener was physically located in Chester and had no particular ties to the state of Delaware. But, you know, working with Clarence Mole, we eventually worked out a plan to, for Widener to adopt the law school. Got it accredited, got it launched and one of the bits of stability that we tried to build in early on was this Board of Overseers. Which mainly, some wonderfully talented Delaware lawyers were the general counsel of big corporations in Delaware who have taken on the school as a special project. And I stayed on the Board, I am still on the Board. But, the school has now gone, its moved into its third dean I guess. And its doing well. I probably should retire from the Board. I don’t think, I don’t think they need me much at this stage. They are doing very well. But, it also gives me another view into another law school, quite different from Penn, quite different.
WHITE: What are you able to bring back to Penn from being able to see a different law school?

REITZ: I don’t think there is much traffic of ideas back and forth. Widener is, in the legal education universe, it is kind of at the other pole of Penn. It still struggles with danger of too many students not passing the bar. And it still has a physical plant that isn’t quite right. They are working on that again. It has placement difficulties. It is at a stage in the life of a law school that is quite different. And there isn’t much I can take from here down there either. There isn’t much overlap. Although I did teach there once. I gave a course in consumer law down there one time. Enjoyed that.

WHITE: Turning now to some of your civic activities. You are involved in quite a few civic activities as well. I want to ask you about a few of them. What is the International House of Philadelphia?

REITZ: Oh, up here at 37th and Chestnut. Its an old institution that was set up by a group of typical well meaning Philadelphians who discovered foreign students at Penn were adrift. Socially and in some cases educationally. They would come here from foreign countries and they would get lost in kind of the university. So these people had many ideas. One of which was the host program idea where a family would kind of adopt a foreign student and provide holiday meals and the like and some other events. But eventually, out of this movement to be good hosts to foreign students, they established houses where foreign students could live. There was early one down town, then they
took over a house on Spruce Street. Actually the house where WXPN is now located was International House, one of the old homes. Somewhere along in the '60s, '70s, they built this large residential facility up here at 37th and Chestnut Street. And it still is intended primarily as a facility to not just to provide housing, but to provide a whole series of support services to foreign students. It has always had a tie to Penn. And one of the things I did as Provost was to serve ex-officio on the board of International House and when I stopped being Provost, I didn’t get off, I was enjoying the House, so I stayed on the Board of the House. We have gone through a lot of different cycles. In addition to being a residential facility, the main thing I guess we have done in my time up there, I guess is to develop a major arts program. We have foreign films, which we have had for a long time. But we also have a lot of live entertainment. We have now a conference center up there. Its kind of a mini non-governmental organization or educational origination that I think is providing excellent service. When my son was here in law school, I got him to live up there for a year. We always try to keep a certain percentage of American students in the House, so its not kind of a foreign ghetto. And he loved it up there. He made some friendships that continue to this day. There is a man down in Brazil. Nice house, it is a good house. I retired from that board three years ago, a year ago, after a long run, 20 some years. And I am on what they call the International House Center Board, which is an umbrella group for a lot of historical legal reasons, we own the building. We don’t operate the house, we own the building and we rent the house to this International House. The International House Center Board is largely alumni of the International House Board. It’s been a
big, it’s a nice group. It’s a nice project. Our newest big venture is the film festival. We have had one for six years now. Six years of a major film festival in Philadelphia. We are working on that. We hit kind of a plateau. We are trying to break out of that plateau.

**WHITE:** You are also part of the Board of Managers of the Glen Mills Schools.

**REITZ:** Right.

**WHITE:** What is that about?

**REITZ:** Huh, you don’t know Glen Mills. Glen Mills is another ancient Philadelphia institution. It goes back to 1828 I think. Quaker, a Quaker enterprise. Known in the early days as the House of Refuge. In early 19th century, there were a lot of boys and girls, they were pretty young boys and girls, who were, for many reasons, didn’t have families. And were in trouble. So the House of Refuge became kind of an early 19th century notion of what you do with troubled youth. And it was a work house. They had a big building up on Ridge Avenue. And boys and girls who had been, I am not quite sure how they got there, but anyway I think they were there under duress, were doing manual labor. At the turn of the century, the philosophy of handling troubled youth was to put them out into the fresh air and put them on a farm. Get kids out of the city and put them on the farm. So this wonderful group bought, or somehow acquired, a large tract of land in Delaware County, which is near a little town called
Glen Mills. So they changed the name from the House of Refuge to the Glen Mills Schools, plural. Which was interesting, its not school, schools. And built a plant out there about the same time this building was built, 1900. With classic orphanage style geography. There is an oval road with a grass plot in the center. Around the oval are cottages. And on the one end is an administration building on the other end a chapel. The chapel was donated by Smith Brothers. Remember Smith Brothers cough drops? Smith Brothers donated the money for the chapel. And it ran out there for um, through many cycles. They did, early on, I guess they did have the kids farming, cause it was a farm, working farm. Somewhere along the way that stopped. And then the idea came along, the way you treat troubled youth was military school. You had them march up and down under kind of heavy sergeant type restraints. And that was still running in 1970, when I got involved in the 70’s with Glen Mills. It has now evolved into a totally different institution. I, you know I think we probably are the world leader in handling juvenile delinquents. We have about a thousand kids, it is all boys, coming from all over the world now. We have students from Germany and Holland and some of the Caribbean islands. We are getting more and more global in that respect. But all over the country we have a huge number of kids. Growing in both reputation and size. It is part of my kind of professional or civic life. It is a huge bright spot because the kids out there are so amazingly nice. When you walk around that campus, you can’t believe that all these kids are there by court order. And we have amazing success in turning these kids around. Many of them are in college. We now have quite a contingent of students who have gone on to college or beyond. Some are in
professional sports. The great bulk however aren't, are not kids with that kind of
talent. But we have a wonderful vocational program which we operate. But its mainly
turning around there normative culture from anti-social to pro-social. And it works.
We are, we are a success that is kind of mind boggling. When you think of the social
problems of the inner cities, all of these kids, or almost all of them are coming out of
gangs. They have been involved with serious criminal conduct or they wouldn't be
committed. And the things we can do with those kids is just amazing. I have been on
that board now for a long time and our latest major project out there is we are building
a world class golf course on this what used to be the farm. It stopped being a farm a
long time ago. We were sitting on this huge amount of acreage of real estate and
somebody came up with the idea that if we build a golf course it would not only be an
asset for the community, but we could teach some sub-set of our students all of the
skills of golf course management. Which is apparently one of the hottest vocations in
the country. So the golf course is being constructed. Fascinating place. We may, I
don't know whether this will happen, we may set up another campus in Florida. A lot
of states would like to have some replica of Glen Mills. No one has quite figured out
how to do it. They are building one in the Netherlands that might work, on the Glen
Mills model. Florida started one and has the campus virtually fully constructed. But
the organization they were working with turned out to be unsatisfactory. So we are
starting to debate whether to volunteer to operate the Florida institution. California
needs one. Colorado would like to have one. We are, this is quite a success story. I
just love to take people out there. It is hard to imagine an environment that will be so
different from your expectations. It still looks like an orphanage. Although we now, we just finished a big field house. I think our athletic facilities are better than even the best of the prep schools in the country. And our kids do amazing things athletically. We win state and national championships in sports. We have our power lifting team is in the national championships around now. And we have won now so many years in a row that if we don’t win it will be quite a disappointment. But Glen Mills is um, my wife says don’t get him started on Glen Mills, he will never stop. I got the Pennsylvania Secretary of Education out there recently, and it is just mind blowing. For someone who is struggling with kind of a state educational system that is very mixed in its results, to see a school like Glen Mills operating. What can be done is so much different from what is being done. We might, I don’t know, we talk about taking over Chester school system. I don’t know whether, or some part of it. We have said to them any number of times, send us your worst kids. And we will take them. You’ll be better off and we’ll be better off. But that hasn’t quite come about yet. Might. The Governor was in Chester just this week talking about the difficulties with the Chester school system.

**WHITE:** Besides all the time you spend with all the professional activities that we talked about and we barely touched on some of the civic activities you are involved in, what free time you have left, what do you like to do with your free time?

**REITZ:** Free time? I still read. In fact Kevin and I send each other books. This is one of our practices. We share our reading. I wish I had more time for reading. I used to play
tennis. I don’t do much of that anymore. The one recreational activity that my wife and I enjoy, and which I guess is good for us, is we like ball room dancing. So we go dancing at least, probably twice a week now. And I enjoy that a lot. We will be dancing tonight.

**WHITE:** What do you consider to be your greatest accomplishment in life?

**REITZ:** Surviving. I don’t think in those terms. I am not ready to sum up yet. It is not in my nature. I am not a very... I was listening to Garrison Keillor the other day. He is one of my favorites. And he came up with a line... He was being interviewed by Terry Gross, the NPR program. She has a, on National Public Radio, a national, she operates out of Philadelphia here, but she has a national coverage. But Garrison Keillor has a new book. Do you know him? You don’t know Garrison Keillor, my goodness gracious. He has a program on NPR on Saturday night called Prairie Home Companion that is I think, of their non-new programs, is probably the most successful, wonderful. He also writes books. And he used to write a lot for the New Yorker. But, Garrison was on, he has a book out about Jessie “The Body” Ventura, that is apparently quite funny. And he is on a book tour. So he was describing to Terry Rose how he had been trying to write a memoir. And he came up with this line that the un-memoired life is not worth living. But he said he couldn’t do it. This memoir was a disaster. He was so pleased when Jessie Ventura came along that he could drop the memoir and go off and do the... I don’t think I would ever write a memoir. That kind of, even this interview, I am thinking about things I haven’t thought about for a long...
time. I think one of the things, and to the extent I have been introspective, one of the things that I find I am, that I like about my own mindset is that I am always thinking about the future. Almost never about the past. What are we going to do next? What are we going to do about this? How are we going to solve that? And that kind of, trying to solve problems, trying to do something to make the environment of the world a somewhat better place. Keep plugging away.

**WHITE:** What do you hope to accomplish in the future?

**REITZ:** Well, I don’t know how much future I have left. I think I’ve got... The two big projects I am working on at the moment are both publications. We have this commercial law case book that is now seven years since the last edition. And it desperately needs to be revised to take into account all the changes in the Commercial Code. So, I am working on that with colleague Mooney across the hall and several other people. The other thing I would like to do is get those materials on international trade regulation into something close to publishable form. I was working on that again this morning for a couple of hours. That’s a nut I haven’t yet fully cracked. I am getting there. I’ve been making some... seeing things more clearly the last couple of weeks about where I want that book to go. So that is the frontier for me at the moment, are those... One totally new set of materials and one, a very serious revision of some old materials. I am building a new house. That is a big project going on in our personal life. That takes a lot of time. If you ever build a house, you will find out how many decisions you will have to make.
WHITE: OK, thank you Professor Curtis Reitz for speaking with us this afternoon.

REITZ: Well, thank you.