

missed him, and will continue to miss him, tremendously. And that, be assured, is Spritzerian understatement.

A TRIBUTE TO RALPH SPRITZER

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When asked to write a tribute to Ralph S. Spritzer from his students' perspective, we accepted readily, with enthusiasm. Ralph was certainly one of the most memorable and influential people we knew in law school and the person from that time whose friendship we still cherish most. Our fond feeling for him and his family has endured over the eighteen years we have known him, including the twelve years since either of us was in law school, and the time since Ralph left Philadelphia. But it was not until we sat down to catalogue our memories that we came to a major realization: neither of us actually had a formal law school course with Ralph, although John was supervised by him for a third-year litigation credit. Thus, our regard for Ralph as a most important teacher has evolved in an unconventional but totally satisfying way. Perhaps that is the warmest tribute we can provide.

We attended the Law School when clinical programs were in their infancy; small classes were the exception; and the "paper chase" style of teaching by terror was still the rule. Friendships among students and faculty were not common. Yet Ralph sought out students and cultivated friendships among those who were not even formally in his classes.

We are sure there are many others like us, graduates who remember Ralph Spritzer as among their closest faculty associations. That seems even more remarkable today as we better understand the time pressures of teaching and practicing as well as the need to enjoy life outside of law. His office door was always open; his welcome genuine; his was an office in which one was invited to sit *down*. Often there were other students there, along with Paul Bender and Marty Field; conversations were always comfortable and interesting. We never could tell how he managed the time for the regular friendships he made, but we never felt rushed when seeing him or secondary in his attentions. The most important thing that Ralph showed us was that it is possible

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to be, simultaneously, a thoughtful and kind person and an effective lawyer and litigator. He brought a human dimension to our law school experience that was unique.

We knew that he had come to Penn after a distinguished career in the Solicitor General's office, with a wealth of experience before the Supreme Court (a computer search performed for this article uncovered over 200 Supreme Court cases associated with his name). Yet we knew him as a modest friend who listened with great respect to our opinions on law-related issues, took glamorous vacations, swam daily, and played tournament bridge. He also happened to be a great lawyer. It was wonderful for us to realize that those qualities *could* coexist. Later, our professional associations confirmed our impressions of his decency and humanity.

The first U.S. Supreme Court argument John ever saw was *Warden v. Hayden*.¹ But it was not in Washington, and the argument was held about three years *after* the decision. The occasion was a demonstration to the combined class of '72 of an appellate argument. Ralph was the natural choice. He had, after all, argued the case in 1967, and was, by all accounts, one of the most experienced lawyers in the country before the Supreme Court.

Ralph's style was shocking to a young law student! (Which is, no doubt why it is memorable nearly eighteen years later.) He just talked, in the same low-key manner he would talk in his office, in the hall, in the cafeteria, or in the woods in Lackawaxon or Eaglesmere. After months of the socratic hyperactivity and intellectual one-upmanship typical at the Law School in those years, we were being shown a lawyer, a wonderful lawyer, who just talked—no airs, no driving superiority, no hyperactivity or gesticulation—just talk, calm and effective. At the time, I doubt I fully appreciated the message, but it does remain one of my most vivid memories of law school and an example I often use in trying to explain to new lawyers and students that there is no single style that defines an "effective lawyer."

In the wake of the Watergate scandal, Congress passed the Federal Election Campaign Act Amendments of 1974,² which required disclosure of and put ceilings on contributions and expenditures on behalf of candidates for federal office. A massive constitutional challenge to the Act was filed by, among others, Senator James L. Buckley, Eugene McCarthy, Stewart Mott, the Conservation Party of the State of New York, the New York Civil Liberties Union, and the Libertarian Party.

¹ 387 U.S. 294 (1967).

² Pub. L. No. 93-443, 88 Stat. 1263 (1974).

Ralph was retained, along with Paul Bender, as Special Counsel to the Federal Election Commission to defend the statute.

In the Spring of 1975, Eleanor had the pleasure of working on sections of the brief for the Court of Appeals of the District of Columbia which heard the challenge. The case was highly visible, very complicated and moving on a fast track. As Special Counsel, Ralph had an exceedingly important role in the litigation. Yet, throughout the spring, he made the time to guide, review, and discuss the work assignments and the case in general. He was respectful, full of humor about the task ahead, and infused our working relationship with the same kindness and gentle guidance that has always characterized our friendship.

The argument before the Court of Appeals en banc took place in June, 1975. It was extraordinary. The courtroom was packed with press, spectators, politicians, and some of the finest lawyers in the country. On the counsel list were such lawyers as Ralph K. Winter and Lloyd N. Cutler, along with Ralph. As he had before the class of '72, Ralph just got up and in his comfortable, companionable style simply explained to the Court the correct result. He appeared to be teaching rather than arguing, and the Court responded to him as a teacher and a colleague. It was a wonderful experience for me to see that an untheatrical, straightforward presentation could be so effective. Except for a minor provision, the Circuit Court upheld the entire Act.³

Another pleasure of our friendship with Ralph was meeting his wife Lorraine Nelson Spritzer. Like Ralph, her gracious and unassuming friendship made her accomplishments seem all the more special. During much of the time we knew her, she was working on a book about Helen Douglas Mankin, the first woman elected to Congress from Georgia. Lorraine's interest in the topic stemmed from her days as a Washington D.C. reporter for the *Atlanta Constitution*. The book was published as *The Belle of Ashly Street: Helen Douglas Mankin and Georgia Politics* (1982). Completing that book was particularly extraordinary because Lorraine was actively pursuing her career as an actress throughout the time of her writing. Appearing in New York in *Hot'L Baltimore* and throughout Philadelphia, she was a marvelous actress. Lorraine was one of the first women of her generation that we knew who was truly independent of her husband in the pursuit of her career.

The glamour and pace of their lives did not interfere with the creation of a beautiful, welcoming home. We loved our dinners in the

³ Ralph's arguments did not fare as well before the Supreme Court, but he did not have me helping on that brief.

elegance of their book-filled Pine Street home. Our summer visits to Eaglesmere and Lackawaxon were equally tranquil and enjoyable. Ralph and Lorraine have created a home filled with good food and wonderful fellowship for those who are graced with their friendship.

Because of Ralph's self-effacing style and reticence to discuss his accomplishments, few of his students could appreciate what a remarkable career he has had. It is hard to believe he was arguing in the Court of Appeals when we were two and three years old. His list of appearances since then is long and covers a wide range of legal topics: war claims, antitrust, prisoners' rights, discrimination, constitutional law, election financing, the rights of criminal defendants, and others. In each, he has been the lawyer of choice—by the famous, the infamous, the Government, other lawyers, and the courts themselves. And those qualities, when combined with the warm and tender spirit he showed us at Penn, made him a truly unique teacher, friend, and, now, colleague.