FRANK R. KENNEDY

Hon. George Brody*

"An occasional man achieves such distinction, makes so great a contribution, leaves so striking a mark on his profession, that it is almost unseemly to sing his praises."¹ Such a man is Frank Kennedy and, unseemly or not, I am going to indulge in praising the great — not only my personal praise, but also the praises of those with whom he has labored on his countless projects.

Professor Kennedy has had an illustrious teaching career, which began in 1940 at the University of Iowa College of Law. He then moved to the University of Michigan Law School in 1961, and, except for stints as visiting professor at various law schools throughout the country, he culminated his teaching career there in June of 1983. He has had a marked impact on the many students who have attended his classes and who have been counseled by him.

SCHOLAR AND EDUCATOR

Harvey Miller, a member of the National Bankruptcy Conference and eminent bankruptcy practitioner, evaluates Frank Kennedy's teaching impact as follows:

Clearly, you have been an inspiration to your students and to all those who have had the opportunity to know you and your prodigious work. It has always appeared to me that you have taken for your own Stendahl's dictum, "Unless I am clear, the world about me collapses." To read a Law Review article, a note or a letter by Frank Kennedy is a joy in and of itself. You have done successfully what many others have tried to do in vain. You have imparted knowledge, understanding and humanity to thousands of students and attorneys.

While Warren, Douglas, Black and other great judicial figures have impressed their philosophies upon generations of lawyers through their opinions, you have exerted your influence upon students just before they cross the threshold into the profession. Through them, you have started to shape the law in a rational and logical fashion. Your contributions to date have been multitudinous. We can only expect more.

Norman Nachman, the Dean of the Chicago Bankruptcy Bar, similarly observes:


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The legions of students who were fortunate enough to attend your law lectures are collectively the very best evidence of the inestimable contribution you have made to the bench and bar as a teacher of the law. Through them, your pervasive beneficial influence, particularly in the administration of bankruptcy, will long remain.

Ms. Darlene Nowak, a former student of Frank Kennedy, whom I had the good fortune to employ as my law clerk upon his recommendation, reminisces:

Frank Kennedy is the consummate teacher because his students can never graduate from his influence. Long after you forget how to study textbooks and prepare lessons, long after you leave the comforting regimentation of daily classes and abandon the luxury of arguing academic points for nonexistent clients, you are still a student of Frank Kennedy. With every difficult problem you ask yourself (albeit silently) “How would Professor Kennedy handle this?” Long after grades cease to be important, you are still trying to come up with an answer to please him. To instill this attitude to continually strive for excellence is the hallmark of a great educator, for it requires not only a recognized mastery of knowledge but a genuine affection for students and limitless generosity. Professor Kennedy possesses all these things wrapped up in a Missouri accent; I feel his influence every day.

Students trained by Frank Kennedy enter the legal arena with a decided advantage. Illustrative is the story told to me by Ronald DeKovan, a practicing attorney in New York. He tells of the time recently when he and a young professor of law from the University of Michigan were asked to draft some legislation. According to Mr. DeKovan, “another party then present queried whether the professor was qualified. The answer was simple. The professor had been trained by Frank Kennedy. There was no further inquiry.”

Professor Kennedy’s literary output has been prolific. He has written extensively on a varied range of subjects, with particular emphasis on bankruptcy.² Ken Klee, Associate Counsel to the House Judiciary Committee when legislation leading to the adoption of the Bankruptcy Code was under consideration in Congress, has commented on Frank’s scholarly contributions, noting: “In a frenetic world, you are one of the few remaining scholars who meticulously researches and refines a piece before submitting it to publication. While I am hopeful that future generations will emulate your work, I am pessimistic that they will do so.”

Similar comments abound. Professor David Epstein of the Uni-

² Frank Kennedy contributed to Bankruptcy and the Chapter Proceedings (G. Holmes ed. 1976) and to Vol. 1 of Secured Transactions Under the UCC (P. Coogan, W. Hogan & D. Vagts eds. 1963). He co-authored volumes 4, 4A, and 4B of Collier on Bankruptcy (14th ed.). He has also had published in excess of 100 law review articles.
Frank Kennedy

versity of Texas Law School and a member of the National Bankruptcy Conference writes:

Every person who studies, teaches, or practices bankruptcy law is, of course, indebted to Frank. His work with the National Bankruptcy Conference, with the Rules Committee, with the Commission on the Bankruptcy Laws of the United States has significantly improved bankruptcy law and bankruptcy procedure. His law review writings and continuing legal education talks have made those areas of bankruptcy law and bankruptcy procedure that he has not improved more understandable.

George M. Treister, a Los Angeles attorney and a respected scholar in his own right, has worked with Frank Kennedy for over a quarter century in the various activities of the National Bankruptcy Conference, on the first Advisory Committee on Bankruptcy Rules, and on numerous continuing legal education programs. He notes that Frank has “consistently provided the top scholarship, as well as the extraordinary energy and painstaking care and attention to detail that mark the finest degree of professionalism.”

In a similar vein, Benjamin Weintraub, who has made significant contributions to the development of Chapter 11 of the Bankruptcy Code, states:

The late Judge Jerome Frank in a Learned Hand lecture commented on the Judge’s achievements, in words we may very well apply to Frank, who “with his creative insight, his penetrating intellect, his imaginative experience, he has enlarged the legal world for all of us.” May we also add to this his warm sympathy, his exuberance, and deep attachment to the law which never failed to attract all of us.

**AUTHOR OF LEGAL REFORM**

The profound changes that have been made in bankruptcy law and procedure during the past two decades carry Frank’s unmistakable imprint. Frank Kennedy was appointed Reporter for the Advisory Committee on Bankruptcy Rules of the Judicial Conference of the United States in 1960. In 1964, the Supreme Court was authorized by Congress to promulgate Rules of Bankruptcy Procedure to replace the antiquated Rules under which the Bankruptcy Court was operating. Under Frank Kennedy’s guidance, this project was successfully completed.

Judge Asa Herzog, a member of the Committee, provides insight with respect to Frank’s personal and professional contribution:

Frank wrote the original version of the rules and his scholarship and expertise came shining through in every work he shaped. His explanations of the “whys” and “wherefores” of each sentence, phrase and paragraph was a model of clarity and an exhibition of the keenest of
minds. Throughout many years of wrangling and arguing, Frank never once raised his voice and gracefully accepted changes proposed by various members of the Committee even when he strongly disagreed.

In transmitting the Rules to the Supreme Court for approval, Judge Aldisert, then Chairman of the Advisory Committee on Bankruptcy Rules, recognized that the success of the project “was made possible only by the prodigious and devoted effort exerted by the Committee’s Reporter, Professor Frank R. Kennedy. In addition to his vast knowledge of the subject, he brought a limitless capacity for meticulous research to the job, which I believe has made it as complete and all-encompassing as possible.”

Congress, on July 24, 1970, by joint resolution authorized the establishment of a Commission “to study, analyze, evaluate and recommend changes in the Bankruptcy Act of 1898.”

Harold Marsh was appointed Chairman of the Commission and selected Frank Kennedy as Executive Director. The project was completed in July of 1973, with the submission of the Commission’s recommendations and findings and the drafting of a proposed statute to implement the recommendations.

The explanatory notes which accompanied the proposed legislation are a remarkable summary of then-existing bankruptcy law. The Commission’s statutory proposal was introduced as a bill in both the House and the Senate, and served as the basis for the eventual enactment of the Bankruptcy Code of 1978.

Harold Marsh, who had the wisdom to select Frank Kennedy as Executive Director of the Commission, attributed the Commission’s success to Frank Kennedy’s leadership, “his encyclopedic knowledge of bankruptcy law and all related fields,” knowledge which had not “been approached by any other scholar . . . his unlimited capacity for work” and “his incredible patience and unfailing courtesy in dealing with all of the persons” who dealt with the Commission.

Gerald Smith, Deputy Director of the Commission, describes Frank’s contribution to the accomplishments of the Commission thus: “With Frank in attendance, you really needed no other research tool. He brought his own library, primarily stored in his head, but amplified by meticulously accumulated notes and materials relevant to every conceivable matter having any impact on bankruptcy law, which of course includes the universe.”


Mentor and Friend

Despite his heavy teaching schedule, his prolific writings, demands made upon him by the National Bankruptcy Conference and his work on the Bankruptcy Rules Committee and Commission, Frank still found time to patiently answer in minute detail the countless inquiries addressed to him by lawyers, judges and colleagues. I first met Frank Kennedy in 1961. Since that time, I have written to him on many occasions with respect to varied problems dealing with bankruptcy administration. I remember vividly my first such contact, when I presented to him what I thought to be a very simple question. To my surprise then — but not anymore — I received in the mail a treatise on the question I had posed. Others have had the same experience. Bernard Shapiro, an eminent teacher, lecturer and practicing attorney in California, recounts: “The last time I wrote to Frank I asked him if he had any random thoughts about the automatic stay and I had to hire American Van Lines to haul away his answer.”

Many years ago, a fledgling attorney attended a lecture given by Frank Kennedy. At the conclusion of the lecture, he introduced himself to Frank and asked a question, which apparently Frank did not completely answer. Two weeks later, this attorney received a two-page single spaced letter from Frank Kennedy in which Frank apologized for speaking hastily and said that upon reflection, he was not sure that the answer he had given was correct. Frank then proceeded to cite numerous cases as justification for his lack of certainty. This same lawyer, William Rochelle, now a respected and successful lawyer in Texas, recalls Frank’s response in amazement: “That Frank would remember my name and question and his answer under such frantic circumstances was, itself, remarkable, but that he would take the time and trouble to share his knowledge and expertise was both gratifying and surprising.”

Frank’s scholarly achievements tell but an incomplete story. Charles Horsky, confidant of Presidents, prominent Washington attorney and Chairman of the National Bankruptcy Conference, notes that “to speak of Frank only as a consummate lawyer and teacher is to render an imperfect tribute. He is also the consummate gentleman — quiet, courteous, helpful and understanding.” Adds Gerald Smith, “His kindness and patience with students and lessers, of which there are many, may be equaled, but I doubt that it is exceeded.”

Others have also given recognition to these qualities, as illustrated by the comments of Daniel R. Cowans, former Bankruptcy
Judge and member of the National Bankruptcy Conference, now a practicing attorney in California:

There are those who use their knowledge to help and to teach. They share rather than belittle. Probably most great teachers are of this nature; they are open and accessible. Many times at meetings and seminars I have seen you surrounded at the conclusion by people asking questions. I have always had the respect for you that brought the questions there, but at least as importantly, the admiration for you to remain there patiently and conscientiously trying to answer. I think . . . I saw the true Frank Kennedy doing his excellent best to broaden knowledge and understanding.

Professor Stefan A. Riesenfeld, Professor of Law at the University of California, similarly observes: “Frank is not only a superb scholar and uncontested leader in the field, but is also a wonderful human being whose intellect has not overshadowed warmth and compassion.” Adds United States District Judge Conrad Cyr, “His great intellect, learning, patience, diplomacy, energy and personal warmth are a prescription for professional success no matter how difficult the challenge.”

Vern Countryman, a long-time colleague of Frank’s, was apprehensive about Frank’s retirement. “I trust,” he wrote, “that you are not retiring from the rendition of any of those other services — including the very important one of preserving me from error.” I am certain that this remark was made in jest. Vern Countryman, and all others who know Frank are aware that, except for relinquishing his teaching duties, he will continue to be as active as he has been in the past. He will, in the words of Frank Quittner, a respected member of the California Bar, “never quit performing the magic that he has bestowed on all of us.”

For more than twenty years, since the time I became a Bankruptcy Judge, I have been keenly aware of Frank Kennedy’s unselfish dedication to the many projects which have been thrust upon him, overwhelmed by the enormity of the tasks he has undertaken and carried out to successful completion, and awed by his prodigious scholarly output. I consider myself fortunate in being afforded the opportunity to have shared in some of those projects and to have the valued friendship of a sensitive, loyal and caring human being.
FRANK R. KENNEDY

Vern Countryman*

No one knows more about the law of debtor and creditor than Frank Kennedy and, save for Steve Riesenfield who edges him by two years, no one has been teaching it longer. Frank is a man of many and diverse talents (he is, among other things, a superb ballroom dancer). As one (only slightly) his junior, I have been asked to write about his contributions to the practicing bar and his contributions to the development of the law of debtor and creditor.

I doubt that even Frank, the most meticulous of record keepers, could make more than a rough estimate of the number of appearances he has made, over the years and in all parts of the country, on continuing legal education programs. At each appearance, the lawyers in attendance could count on receiving in response to the sponsoring organization’s invariable request for an advance written outline of his topics, a virtual mini-treatise on each subject. Frank invariably supplemented these writings in his oral presentation with all of the latest developments. And, no matter how firmly the moderator urged the members of the audience not to seek exhaustive treatment from the speakers of all the problems those members had brought from their offices, at every such program I attended Frank was the last participant to emerge from the meeting room at the end of the day. He always stayed to attempt to deal with every question presented to him by those who persisted in seeking fast answers to their office problems.

It was always clear to me that these after-hours interrogators had already gotten more than their money’s worth from Frank during the scheduled hours of the meeting. But, typically, that was never Frank’s reaction. His view has always been that he also learned from his extended sessions.

Visible evidence of Frank’s contributions to the development of the law goes back a long way. His years of service as Chairman of the Drafting Committee of the National Bankruptcy Conference, responsible for casting the Conference’s numerous proposals for amendments to the Bankruptcy Act into legislative form, as well as his outstanding reputation as an expert in the field, made him the

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natural choice as Reporter for the United States Judicial Conference's Advisory Committee on Bankruptcy Rules, when, in 1961, it began the task of drafting Rules of Bankruptcy Procedure. Larry King and I joined the project later as Associate Reporters, Larry for Rules for Chapters IX-XII and I for Rules for Chapter XIII, and still later Walter Taggert became an Associate Reporter for Rules for Section 77 railroad reorganizations. But we all shamelessly cribbed from the excellent work Frank had already done on the Rules for bankruptcy liquidation cases. As the late Judge Phillip Forman, Chairman of the Advisory Committee, wrote in submitting the first installment of the new rules to the Judicial Conference's Standing Committee on Rules:

Of course, the work was made possible only by the prodigious and devoted effort exerted by the Committee's Reporter, Professor Frank R. Kennedy. In addition to his vast knowledge of the subject, he brought a limitless capacity for meticulous research to the job, which I believe has made it as complete and all-encompassing as possible.¹

Once again, when Congress in 1970 created a Commission to study and revise the old Bankruptcy Act, Frank was the natural choice for, and became, its Executive Director. His conscientious and indefatigable service in that job made even his performance on the Rules pale by comparison. Over a three-year period, he supervised a full-time staff of more than two dozen, the commissioning of a number of studies by other experts, and the conducting of public hearings in all parts of the country. In addition, he did more than his share of the research and drafting that went into the Commission's final report, which included a draft of a complete new Bankruptcy Code. I was involved to assist in a minor capacity in the final weeks of preparation of that report and recall that when, at the end of what we regarded as a long day's work, most of us would leave the office for a soothing libation we would leave Frank busily at work in his office. We would not infrequently return the next day to learn that what sleep he had gotten the night before was on a cot in his office.

Once the Commission's report was completed and its proposed bill was introduced in Congress, Frank continued his efforts by numerous appearances in Washington to testify at Congressional hearings and to consult with Congressional staff. The end product of the effort for Frank and many others, though no one's more than his, is the current Bankruptcy Code of 1978. While matters are in disarray

¹. COMMITTEE ON RULES OF PRACTICE AND PROCEDURE OF THE JUDICIAL CONFERENCE OF THE UNITED STATES, PRELIMINARY DRAFT OF PROPOSED BANKRUPTCY RULES AND OFFICIAL FORMS UNDER CHAPTERS I TO VII OF THE BANKRUPTCY ACT xxiii (March 1971).
now because of Congress' delay in dealing with the Supreme Court's 1982 decision in the Marathon case\(^2\) (holding the basic grant of bankruptcy jurisdiction too broad to be conferred on Article I bankruptcy courts), Frank cannot be faulted on that point. He supported making the bankruptcy courts Article III courts both before and after Marathon.\(^3\) When finally the Congress does act to clear up the jurisdictional muddle — as it must — our resumed experience with the substantive provisions of the new Code will continue to show that they are a vast improvement over the substantive provisions of the old Act. And for much of that improvement we are indebted to Frank.

Meanwhile, he has somehow found time to contribute to other substantive improvements in related areas. While he was still working on the Bankruptcy Code, he became the Reporter for the drafting of the Uniform Exemption Act, approved by the National Conference of Commissioners on Uniform State Laws in 1976. Even now he is serving as Reporter for the same Conference and its revision of the Uniform Fraudulent Conveyance Act of 1918.

Frank has retired from full-time teaching but that act merely represents some reordering of his extraordinary energy and talents. He will never retire from his full-time efforts to contribute to the development of the law in his area and to assist others who also labor in that field.

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FRANK R. KENNEDY

Harold Marsh, Jr.*

A great law professor like Frank Kennedy can have an influence on the development of the law and the legal profession in many diverse ways. First, of course, is his impact on the minds of generations of law students in the classroom, which may have incalculable influences on them, and through them on others, for many years. Some legendary law professors were content to restrict themselves to this role, and did little in the way of published legal writings, but are still spoken of with awe even after the last student who actually sat in their classes has retired. I am sure that Frank has had a student out of the distant past, whom he has totally forgotten, come up to him at some meeting and recount some classroom incident or remark, which he doesn’t remember and suspects is apocryphal, and say that this has influenced him in his entire legal career.

Secondly, the great law professor through his publications as a legal scholar speaks directly to the entire legal profession in a more enduring medium. By these works he may have a profound influence upon the development of the law and upon present and future generations of lawyers who never met him in person.

Other contributors to this issue of the Law Review, I am sure, will write of Frank’s outstanding contributions in both of these ways. Some law professors, however, have a more direct and tangible impact upon the state of the law—that is, by participating in law revision and codification projects which may immediately accomplish major changes in the law. Not all have the courage to do this, since it means that the professor must leave the sanctuary of the podium and the classroom and expose his work to frequently acerbic public criticism—his papers are graded by every lawyer in the United States. I would like to discuss Frank’s activities in this arena.

I first worked closely with Frank Kennedy in connection with his long-time chairmanship of the Drafting Committee of the National Bankruptcy Conference. That work involved writing statutory amendments to the old Bankruptcy Act to be proposed to Congress

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Frank Kennedy

(even though more often than not they were ignored by the Congressional committees).

Then, in 1971, he became at my invitation the Executive Director of the Commission on the Bankruptcy Laws of the United States created by Congress. During the next two years I was intimately associated with him while he directed the activities of the Commission staff and of the Commission itself in producing the Report of the Commission, which ultimately inspired the enactment of the new Bankruptcy Code in 1978. The work of the Commission was accomplished in only slightly over the two years originally allocated by Congress for the completion of its work, from the time it first became fully staffed and operational, and a portion of the niggardly funds appropriated by Congress (in comparison with other similar commissions) was returned to the United States Treasury at the end of that time. These accomplishments, which I doubt have ever before or since been duplicated by any advisory commission established by the United States Government, were due primarily to the leadership of Frank Kennedy.

First among the qualities which provided that leadership was, of course, his encyclopedic knowledge of bankruptcy law and all related fields, which has never to my knowledge been approached by any other scholar. But perhaps even more significant was his incredible patience and unfailing courtesy in dealing with all of the persons having an interest in the work of the Commission or submitting ideas and proposals. Frank Kennedy was and is a true gentleman of the old school, who never flaunts his massive erudition nor treats anyone with condescension. Finally, his capacity for work is apparently unlimited and he must have put in twelve or fourteen-hour days almost every day of that two-year period carrying forward the work of the Commission.

He is, of course, equally renowned in the field of secured transactions and, formerly held the position of Chairman of the Uniform Commercial Code Committee of the ABA Corporation, Banking and Business Law Section. His scholarly output of articles in numerous law reviews has greatly enriched the legal literature.

It is a privilege and a pleasure for me to join in the salute to Frank Kennedy evidenced by the dedication to him of this issue of the Michigan Law Review.
Frank Kennedy was new to the Law School faculty during my student days and somehow, to my everlasting regret, I missed taking his bankruptcy and debtor-creditor courses. These losses soon became more than academic to me, as I began specializing in bankruptcy and insolvency law almost immediately upon graduation. Fortunately, Frank was generous enough to teach his subject by telephone to a young practitioner.

Of course I relied upon his scholarly writings in the bankruptcy area. But whenever I encountered a particularly perplexing problem, I knew I could call Frank for guidance, assurance and, most importantly, hopefully, the answer. Despite a busy schedule which included much in addition to the instruction of his law school students, Frank always found time for my questions.

To my amazement and occasional despair (were all lawyers expected to know so much?), Frank instantly and infallibly knew the cases relevant to my problem, and could (and did) summon up their salient facts, holdings, dates of decision and, usually, the names and histories of the deciding judges. The one thing Frank would never give me was a simple answer. Yet, by the time he finished, I always felt I understood my problem — and the practice of bankruptcy law — more fully. Sometimes I still might not know what to do next in the case I had called about, but I always knew that Frank’s telephonic tutorials were very special gifts which placed me greatly in his debt in every sense but the one we both use professionally.

Once, while trying to teach a bankruptcy course during a hectic period at my office, I complained to Frank about the appalling number of hours it took an amateur professor like me to prepare for class. Frank surprised me by claiming it took him just as long. It had never occurred to me that “Mr. Bankruptcy,” who always seemed to have the entire corpus of bankruptcy law at his fingertips, would need much time to plan a lesson. I wondered whether Frank was just giving me a pep talk. Later, after I met Frank’s lovely and gracious wife, Pat, I learned he really did spend hours each day pre-

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paring to teach. Pat explained that Frank is an inveterate pack rat, searching out and saving every newspaper story, magazine article and other document mentioning the words “bankruptcy,” “debtor” or “creditor.” This has been Frank’s life-long habit, and he has amassed a collection of heroic proportions.

What Frank meant by preparation had nothing to do with the study of recent cases and statutory amendments. Keeping abreast of the law in his field, like breathing, is an involuntary reflex for Frank. For him, preparing for class meant sifting through his vast store of clippings in search of the perfect anecdote to illustrate and illuminate the point he wanted his students to grasp. Often his anecdotes were amusing, helping to make the learning process as painless as possible. In any event, one welcome side-effect of Frank’s penchant for collecting is that it reduces the odds that his retirement will mean a move from Ann Arbor. A move would mean relocating the entire collection, too laborious a task to contemplate, or, equally unthinkable, leaving behind the source of his famous anecdotes.

Of course, there was always more to Frank’s teaching than snappy stories. His ability to clarify and illuminate the complexities of bankruptcy law has made him a superb teacher not only of a generation of law students, but of thousands of practitioners as well. For many years now, Frank’s name on a lecture program has assured healthy attendance and a successful program. This is because Frank has earned a measure of respect in his field which few aspire to, much less achieve. His scholarly writings are benchmarks in the area. His tenure as Reporter to the Commission on the Bankruptcy Laws of the United States was distinguished. As the Reporter, Frank was instrumental in proposing a complete modernization of an outdated and outmoded bankruptcy system. While neither Frank nor the Commission were completely successful, their accomplishments were significant. Frank has continually striven to bring excellence and a semblance of “fair play” to our bankruptcy system.

It probably is a good thing my personal debt to Frank does not appear on my financial statement. If it did, I might have to retain his services in a different capacity than teacher. Although I’ll never really be able to repay Frank for his many kindnesses, I can at least state the obvious on his behalf: Frank Kennedy has been a tremendous credit to the Law School. He has earned our greatest admiration and respect. I promise not to interrupt his retirement too frequently with phone calls pleading for advice and, of course, the answer.
In an academic world thickly populated with persons of unlimited ego but of limited scholarly output, Frank Kennedy stands out as a remarkable exception. On the one hand he is the author of scholarly writings too numerous to recount; on the other he is a man of deep humility. A reader or listener soon learns he has strong views which he states with power and precision. Yet his humility is such that he will listen patiently to the most idiotic view of a colleague or student and will kindly help them find their way.

Frank's work as a scholar is as important as it is extensive. The crowning achievement of that work is the Bankruptcy Reform Act of 1978. While not every word in that act came from his pen, Frank Kennedy has a greater claim to be its author than does any other single person. Passed in 1978, the Act is the direct descendant of the bill that was introduced in 1973 and was the product of the Commission on Bankruptcy Laws of the United States. During its entire existence beginning in 1971, Frank Kennedy served as the executive director of that commission. In that capacity he not only drafted portions of the law and directed drafting of other portions but also conducted and directed a variety of studies to determine the appropriate substantive content of the new law. How many scholars can make the claim not merely that they have tinkered with the law or proposed radical and provocative ideas but that they have been one of the important forces in the enactment of an entirely new body of law? In that achievement alone Frank Kennedy surpasses nearly all of the rest of us. By it he has worked an influence on the law of the United States that few persons inside academia or out will ever be able to match.

Frank Kennedy's scholarship did not begin with the Bankruptcy Reform Act nor has it ended there. He has published more than 100 papers. An examination of those articles shows an admirable capacity to stick to his last. For example, his two articles published in the Michigan Journal of Law Reform on the automatic stay are the most

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exhaustive coverage of that topic to be found anywhere.\textsuperscript{1} Both courts and commentators repeatedly cite them. In addition to his influence as a commentator and a draftsman, Frank has been a draftsman of rules and has served for many years as a member of the Bankruptcy Rules Committee.

More than any other person in my recollection Frank Kennedy has been recognized not only in academia but also in the practice world as the leader in his field. His recognition arises not just from the writing of books and articles but from the drafting of the Act and of the rules and from work on various committees and commissions. He is a scholar of unique stature.

Because of his lofty standing as a scholar, Frank Kennedy’s behavior as a colleague is the more remarkable. High standing in the academic community or in the bar often brings with it the baggage of haste, impatience, and self-importance. Despite the burdens of a heavy teaching schedule, continuous scholarship and numerous outside obligations, Frank Kennedy is never impatient. No student or colleague’s question is too trivial or too foolish for his consideration. On many occasions I have presented him with questions about the bankruptcy law, and I have never come away empty handed. Commonly he cites a bit of history, a prior version of the Act or a case. Frequently he will recall the facts of an obscure case from a distant jurisdiction. All of that is done with a grace which leads the questioner to believe that he has uncovered a significant problem.

It is typical of Frank Kennedy’s dedication that even after he has retired from active teaching, one finds him daily in the office or on the road speaking to members of the bar or consulting with bankruptcy judges. In Frank Kennedy the University of Michigan Law School has been favored with a scholar of enormous influence, a colleague of warmth and humility, and a fine teacher.