Ronald H. Maudsley and the University of San Diego

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From 1975 until his untimely death in 1981, Ron Maudsley was a Distinguished Professor of Law at the University of San Diego. Few people have been more deserving of the title Distinguished Professor, and fewer still have worn it with more ease and grace.

When seeking to recruit new members of a faculty, one looks for accomplished or potential scholarship; a good record as a teacher and student of the law; a willingness to constructively contribute to law school, university, professional and public affairs; and a personality which will make him or her a stimulating and pleasant colleague. Most faculty searches turn up mere human beings who may excel—or have the potential to someday excel—as a teacher or a scholar and have a modicum of strength or promise in regard to the other relevant criteria. For a law school to be able to employ a person who is strong in all of these regards is extremely fortunate, and rare. When that person comes with a British accent, charm and wit, you truly have a "distinguished professor." That was the University of San Diego's good fortune when Ron Maudsley agreed to join us on a permanent basis in 1975.

By that time Ron had become one of England's outstanding legal scholars. He was an honor graduate of Oxford's Brasenose College, where he later taught for almost twenty years. He then accepted appointment as one of the few chaired professors of law in England at King's College of the University of London. One reason for his willingness to change academic positions was Ron's

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desire to teach law on a more professional level. At that time, for example, Oxford regarded Ron's desire to teach tax law as much too practical for an "academic" institution. Whether the University of San Diego's students regard their tax courses as too practical or too academic is a moot point. However, there is no doubt that they welcomed and appreciated Ron's balanced mixture of relevant theory, history, and practicality in his teaching of estate planning and other courses, even including his instruction on the Rule Against Perpetuities—one of his favorite subjects to teach and debate.

Influenced by his frequent visits to law schools in the United States—including graduate work at Harvard, from which he earned a S.J.D. in 1950, and visiting professorships at the Universities of Chicago and Miami, among other places—Ron's teaching incorporated the "case method" and the practice of calling on students. Both are novel and welcome American refinements of traditional English legal education.[1]

His experience in the "New World's" law schools also led Ron to co-author, with E.H. Burn, two of his first "cases and materials" books written especially for teaching land law and trusts in England. Ron also became a co-author and eventually primary author of the standard English text, *Hanbury on Modern Equity*.

This latter work of scholarship was the basis of an embarrassing incident in connection with Ron's first visit to the University of San Diego. Gerald Brown, Presiding Justice of the California Court of Appeal, Fourth District, had befriended Ron while they were both at Oxford after World War II. Knowing that the University was interested in attracting distinguished teachers to its new and growing law school, Judge Brown suggested to then Dean Joseph Sinclitico that he invite Ron Maudsley as a visiting professor. Joe examined Ron's resumé, was duly impressed, and noted his book, *Modern Equity*. Joe's invitation to Ron was accepted, and Ron was scheduled to teach the course in equity, a subject on which there were few American scholars, modern or otherwise. Ron, apparently anxious to visit San Diego and Judge Brown, carried out the assignment, only later explaining that in England, "modern equity" deals with the law of trusts, and not the various "equitable remedies" which some American jurisdictions retained as a separate branch of law long after English law had abolished most of their distinctiveness.

Thus began Ron Maudsley's association with the University of San Diego in 1966. Shortly after I became the dean, in 1972, Judge

1. *Cf.*, Q. JOHNSTONE & D. HOPSON, LAWYERS AND THEIR WORK 471-475, 530, 569-573 (1967).

Brown told me of Ron's interest in a return visit. A quick study of Ron's file and discussion with faculty who were here at the time of his first visit led me to immediately initiate a correspondence with Professor Maudsley. This culminated in short visits by Ron in 1975 and 1976 when he would teach one or two courses, meeting four or five times per week during the first half of the fall semester. During these intensive sessions, Ron also managed to be a popular and frequent speaker to Bar groups, civic clubs, and scholarly associations. He was invited to membership in the prestigious American Law Institute and was an active participant in law school, university, and Association of American Law Schools affairs.

In 1977, Ron decided to permanently emigrate to the United States. His first choice was to become a full-time member of the University of San Diego law faculty. Fortunately, we were able to accommodate him and agreed upon a flexible arrangement whereby he could visit at another law school during one semester each academic year. For three years, he spent one term at the University of San Diego and the other at New York Law School, where he was also a Distinguished Professor. On one occasion, Ron was scheduled to teach the alternate semester at the University of Virginia but remained at New York Law School because of their strong desire to have his teaching and counsel at a particularly important time. This was typical of Ron's willingness to be a team player—perhaps a holdover from his rugby days in England—and demonstrated his institutional loyalty even when personal pleasure and preference might have indicated otherwise.

Because of declining physical health, Ron stayed the entire academic year of 1980-81 in San Diego. His mind and wit were as sharp as ever, however, and students and faculty at the University continued to benefit from his classes, counsel, and conversation. He was a regular in the faculty lunch room where—as he would occasionally remind us—he was the only person speaking English without an accent. He would debate administrative law with Ken Davis, politics with Charles Wiggins, constitutional law with Larry Alexander, baseball with Herb Peterfreund, legal education with me, and French cooking with Bert Lazerow. Ron was interested in every subject, well informed in most, and never at a loss for words in any. To corrupt a line from "My Fair Lady:" with polished Englishmen it doesn't matter what they say, it is the way they say it that impresses.

Despite the advancing cancer which his body had been combating for the last three years, Ron and his extremely supportive and charming wife, Eryl, returned to Oxford in the summer of 1981 where he co-directed the University of San Diego Summer Institute, which he had founded with our full cooperation in 1977. In August, Ron traveled to San Diego for the last time. When he passed away in late September 1981, he was team teaching a course in estate planning with Virginia Shue.

Almost until the end, Ron continued to be an active faculty member and scholar. He attended a faculty gathering the night before his death. During his last full year at the University, and mine as dean, Ron apologized to me for becoming what he said a good law school should never tolerate: a faculty member who only taught his classes without engaging in productive scholarship. Only Ron's deteriorating health required him to temper his ideal with reality. The University of San Diego School of Law was extremely fortunate to have the benefit of Distinguished Professor Ronald H. Maudsley's full measure of services for several years, and was still privileged and honored to have him as a faculty member and friend during his last days of life.